

REQUEST FOR CITY COUNCIL ACTION

DATE: **08/23/2010**

ITEM NO: **12 . c**

Department Approval



City Manager Approval



Item Description: Request by the Planning Division to Amend the Comprehensive Plan – Land Use Designation for 70 properties in Roseville that were incorrectly or inadvertently guided during the Comprehensive Plan Update process and to Rezone the same 70 properties accordingly. **(PROJ0017)**.

1.0 BACKGROUND

1.1 On July 12, 2010, the City Council directed the Planning Division to begin the process to correct 70 inappropriate and/or incorrect Comprehensive Plan - Land Use Designations that the Planning Staff has located as a part of it Official Zoning Map update process.

1.2 On July 29, 2010, the Planning Division held the required open house pertaining to the 70 anomaly properties. The Division provided background information on the need for the changes and discussed with individual property owners their specific correction. A summary of the resident comments are attached (Attachment B).

2.0 ANOMALY PROPERTIES

2.1 To better understand the need to establish an appropriate land use designation and zoning, the Planning Division has created separate or groupings of lots/parcels on individual slides. These “attachments” identify each the lot/parcel and the existing/proposed Comprehensive Plan – Land Use Designation as well as the existing/proposed Zoning classification.

3.0 PLANNING COMMISSION ACTION

3.1 At the duly noticed public hearing, the City Planner indicated to the Planning Commission that the Planning Staff held the required open house on the land use designation and zoning changes on July 29, 2010, which meeting was well attended. At the open house the Planning Staff provided specific information to citizen regarding their parcel or parcels of interest. The City Planner added that the notes from the open house were attached for the Planning Commission’s information.

3.2 Chair Doherty asked that the City Planner go over each of the slides provided in the packet individually and, if there were any questions or comments, that those citizens could address the Commission and/or City Planner at the time the slide was being reviewed.

3.3 The City Planner noted that after further consideration, two small properties near South McCarron’s Boulevard and adjacent to Tamarack Park will be guided right-of-way (ROW) versus Park/Open Space as the sheet indicates. The City Planner indicated that these parcels along with others currently identified as right-of-way are used by some of

the neighboring property owners to access their yards and, should that continue, the Park designation would be inappropriate. A couple of residents did address the Commission on this particular correction, seeking that the land area (both parcels) be designated right-of-way.

3.4 Also during the presentation, a number of citizens addressed the Commission and City Planner asking questions and seeking additional information regarding why the change was being made. The general statement provided to most all citizens was that each property has been determined to be guided in the current Comprehensive Plan incorrectly or inappropriately and that the Planning Division needs to correct these properties so that the guiding and zoning are consistent with one another, thus meeting State Statute requirements.

3.5 The Planning Commission recommended approval (5-0) of the 70 proposed Comprehensive Plan - Land Use Designation changes and appropriate/applicable rezoning as amended by staff during the presentation (two parcels near Tamarack Park).

4.0 STAFF COMMENTS/RECOMMENDATIONS

The Roseville Planning Division recommends that the City Council approve Comprehensive Plan - Land Use Map Amendments for the 70 anomaly properties as indicated on the attached slides. The rezoning of each parcel will appear on the revised Official Zoning Map which will be brought forward in October/November for final approval.

5.0 SUGGESTED CITY COUNCIL ACTION

ADOPT A RESOLUTION APPROVING COMPREHENSIVE PLAN – LAND USE MAP AMENDMENTS FOR 70 PROPERTIES IN ROSEVILLE.

Prepared by: Thomas Paschke, City Planner

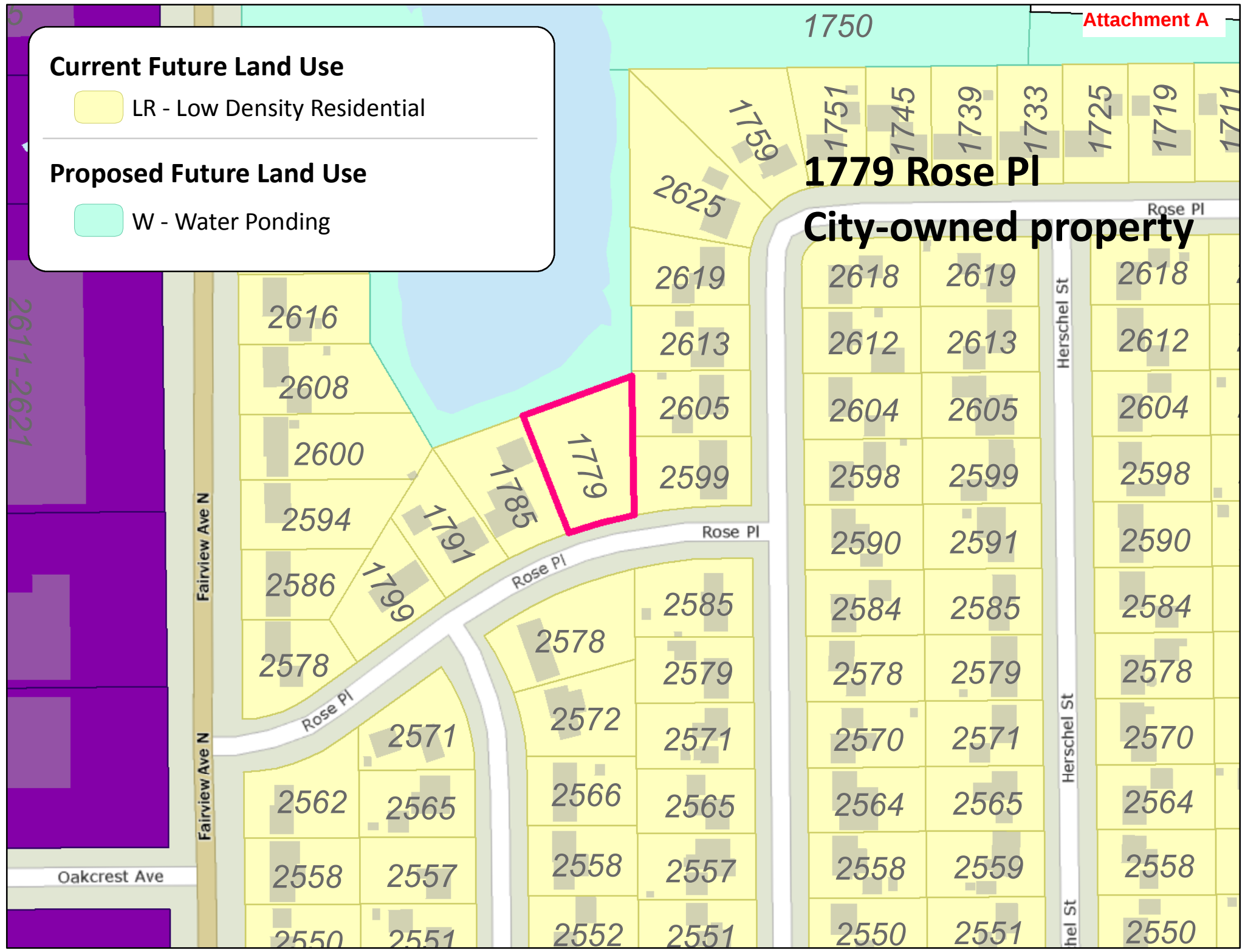
Attachments: A: Anomaly Slides
B. Open House Comments
C: Draft PC Minutes
D. Resolution

Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 W - Water Ponding



Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 IN - Institutional

Dale St St Paul Water Board property

1901

1894

1893

1893

Stubur Ave W

1884

1883

1872

1877

1860

1871

1854

1863

1850

1855

1849

1842

1847

1841

1841

Alta

1854

1844

676

656

675

655

Pineview Ct

1851

1827

626

636

646

635

645

625

Dal

Dale St N

609

601

593

585

575

Ryan Ave W

666

1960

600

590

578

615

577

571

Ro

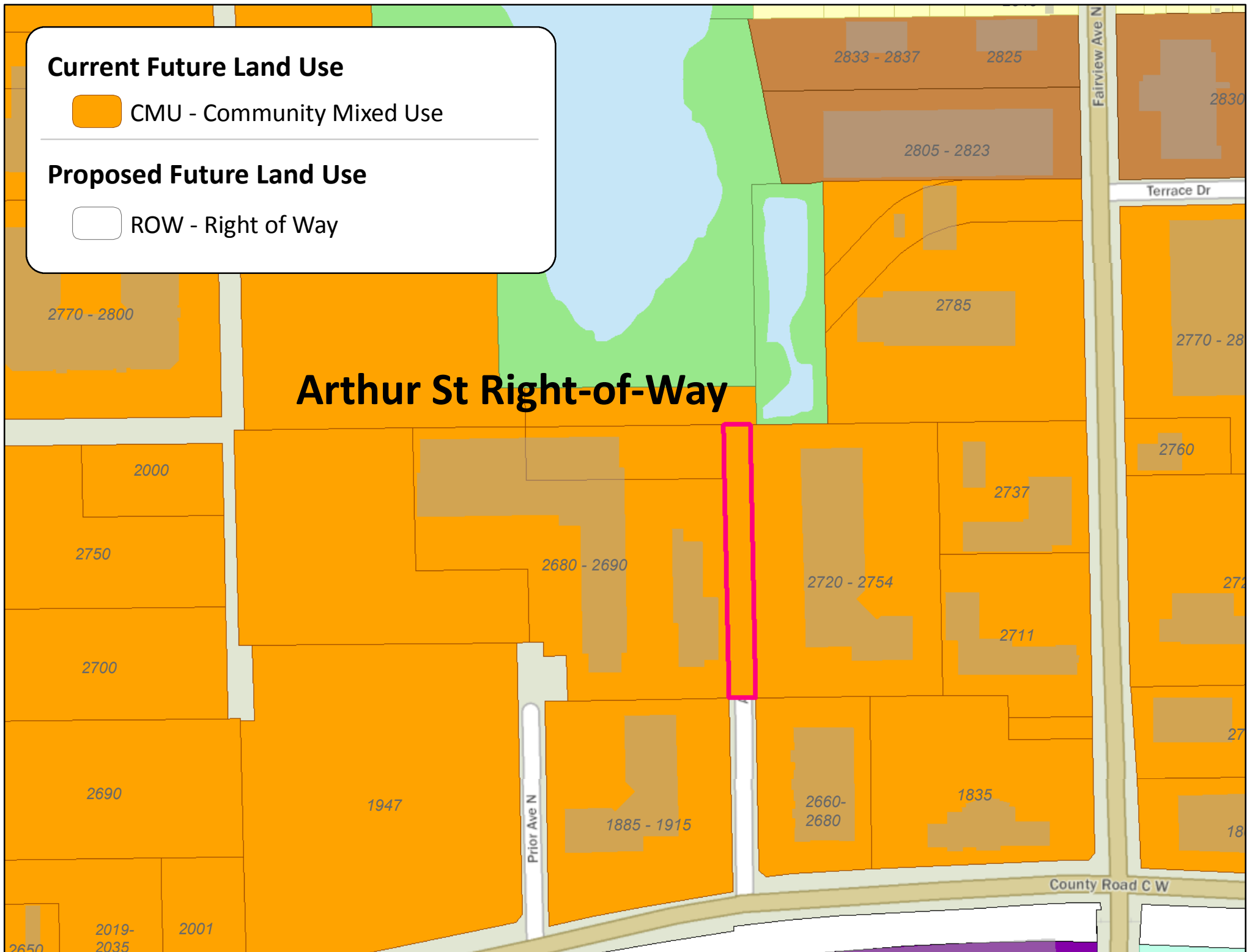
Current Future Land Use

 CMU - Community Mixed Use

Proposed Future Land Use

 ROW - Right of Way

Arthur St Right-of-Way

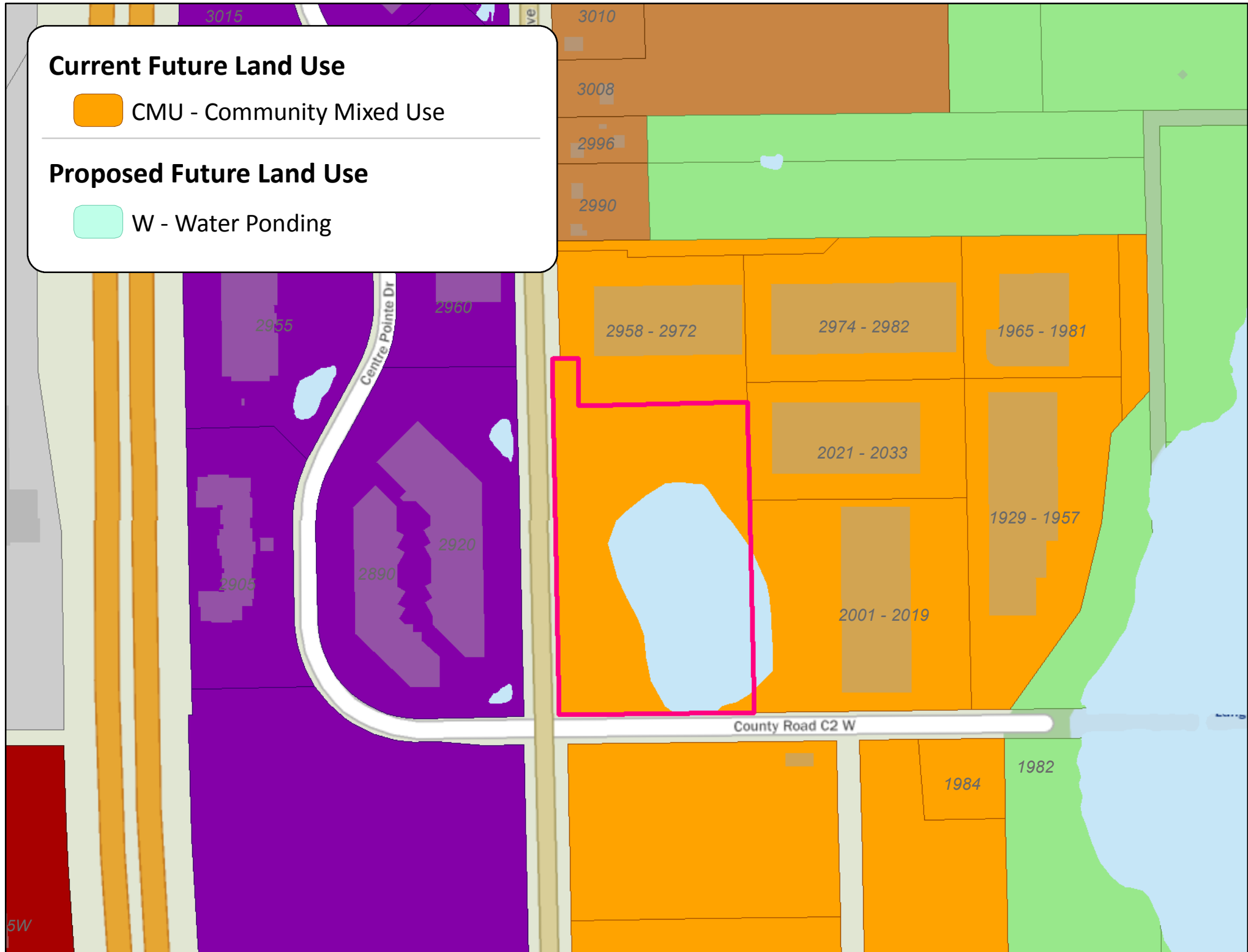


Current Future Land Use

 CMU - Community Mixed Use

Proposed Future Land Use

 W - Water Ponding

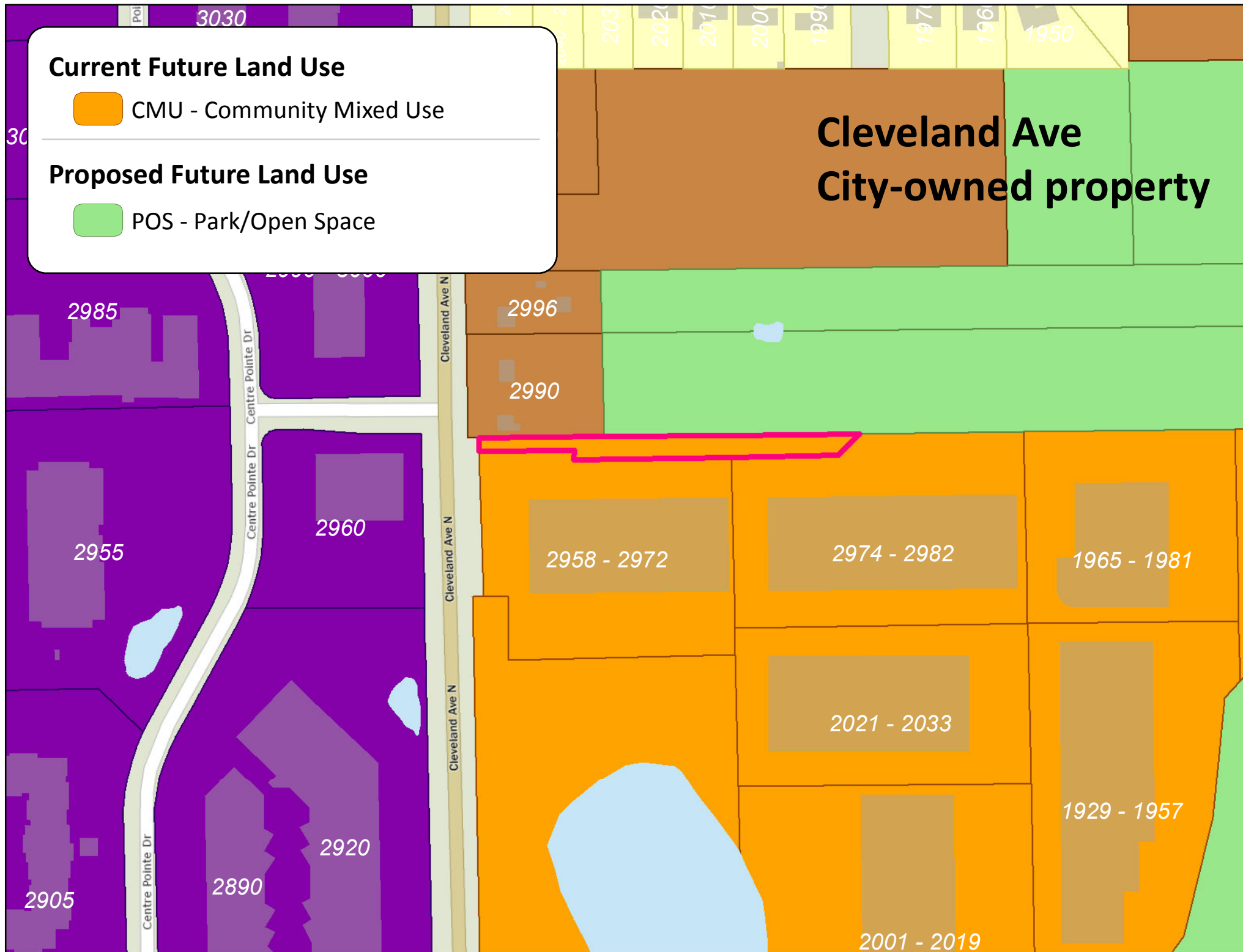


Current Future Land Use

 CMU - Community Mixed Use

Proposed Future Land Use

 POS - Park/Open Space



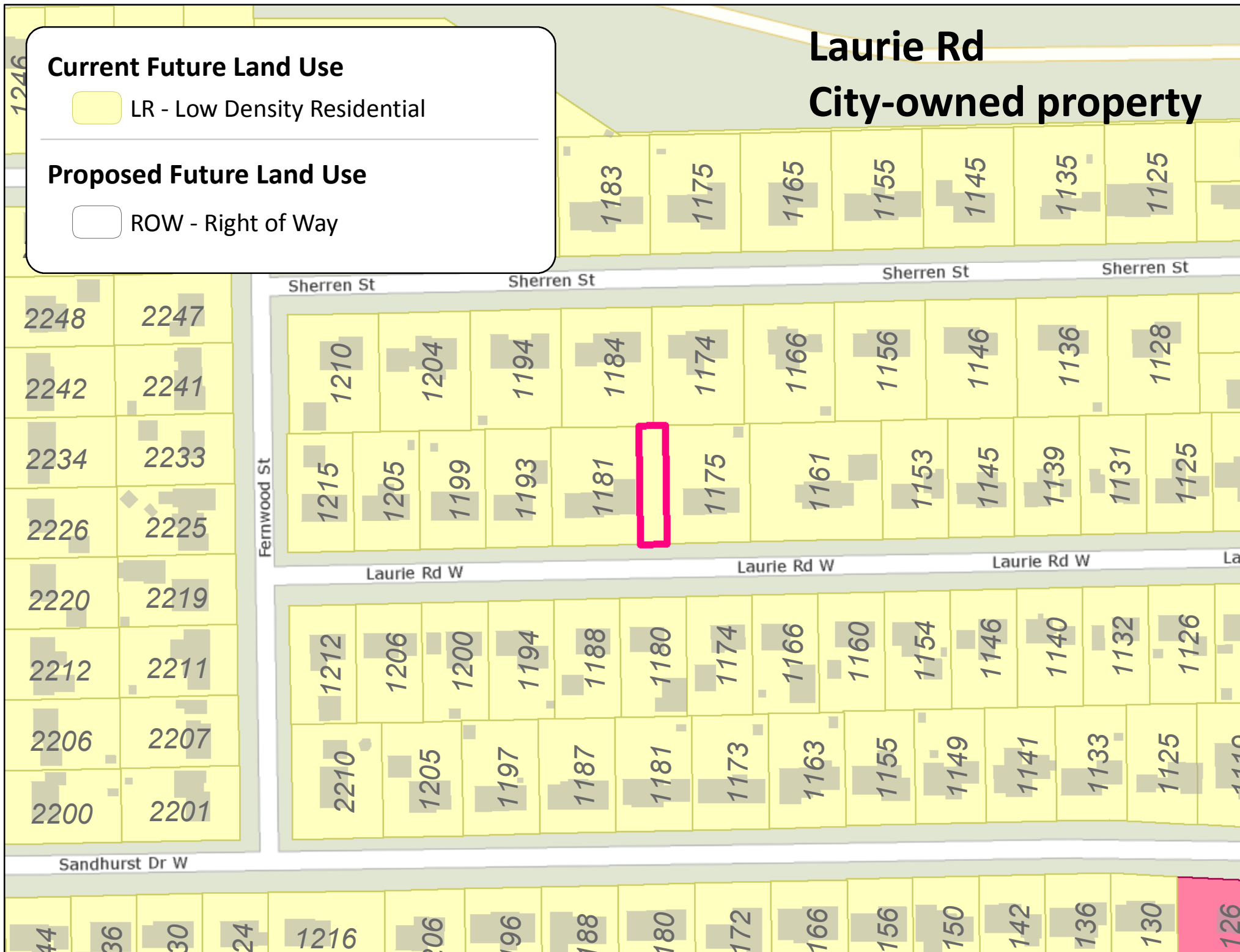
Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

☐ ROW - Right of Way

Laurie Rd
City-owned property

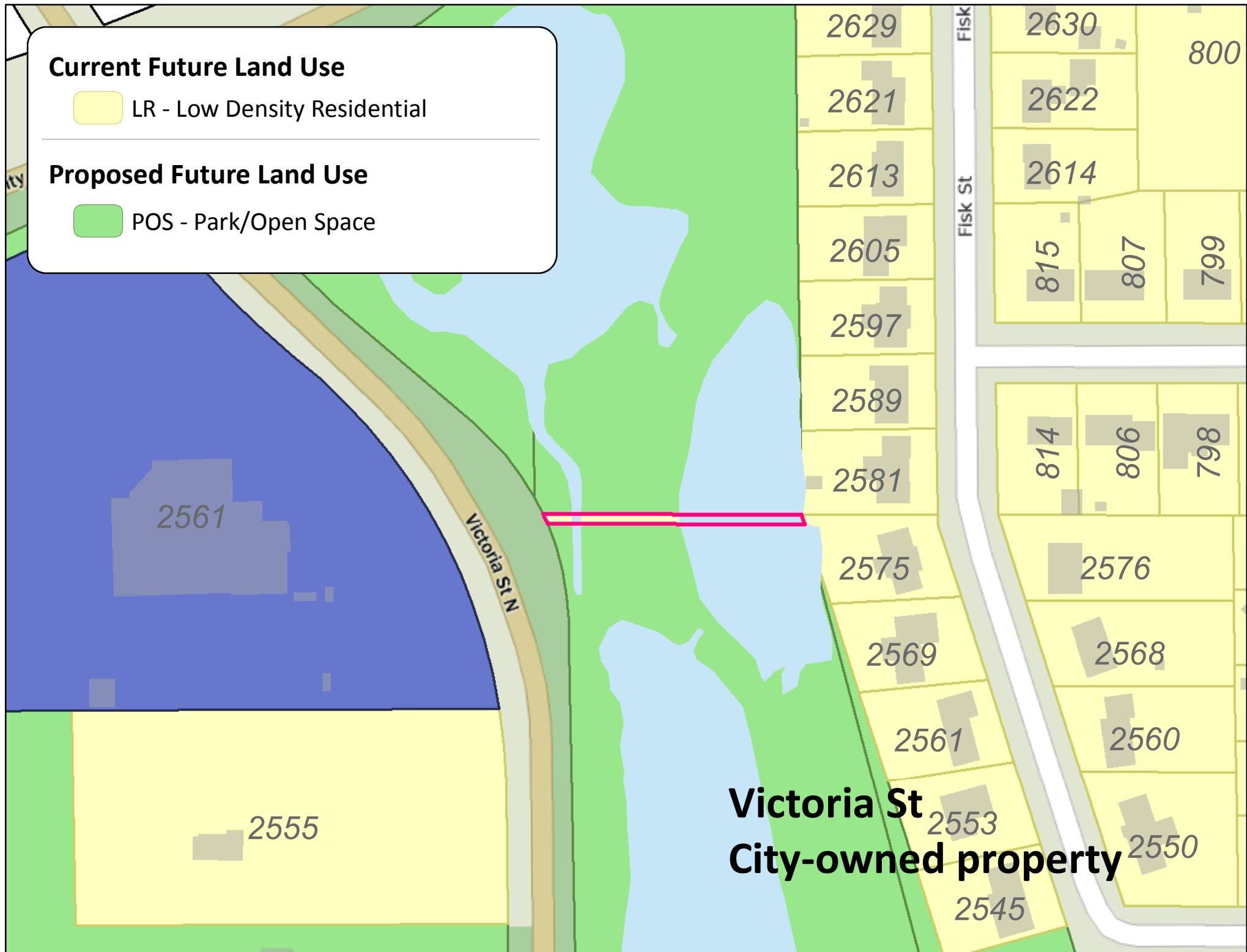


Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 POS - Park/Open Space



Current Future Land Use

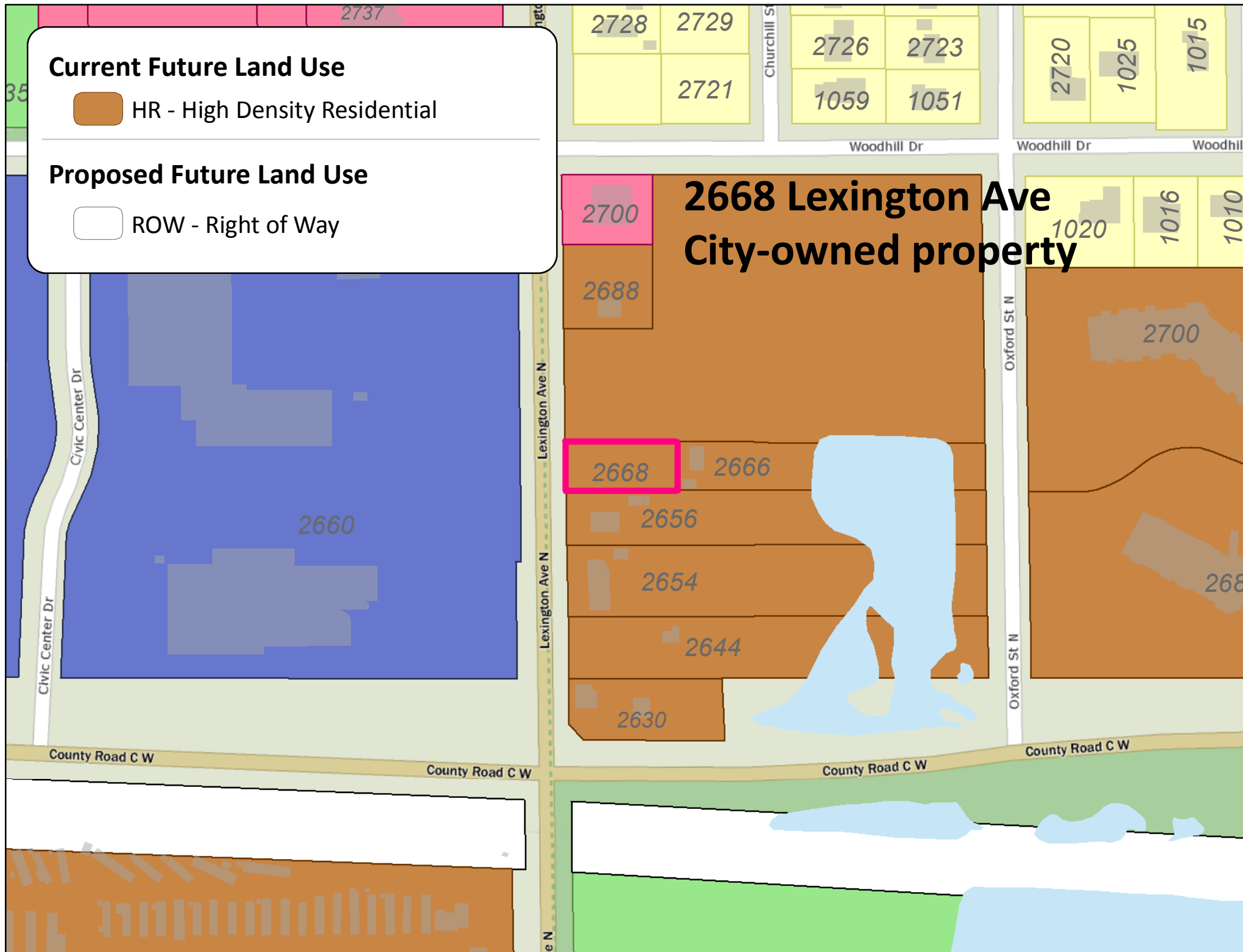


HR - High Density Residential

Proposed Future Land Use



ROW - Right of Way

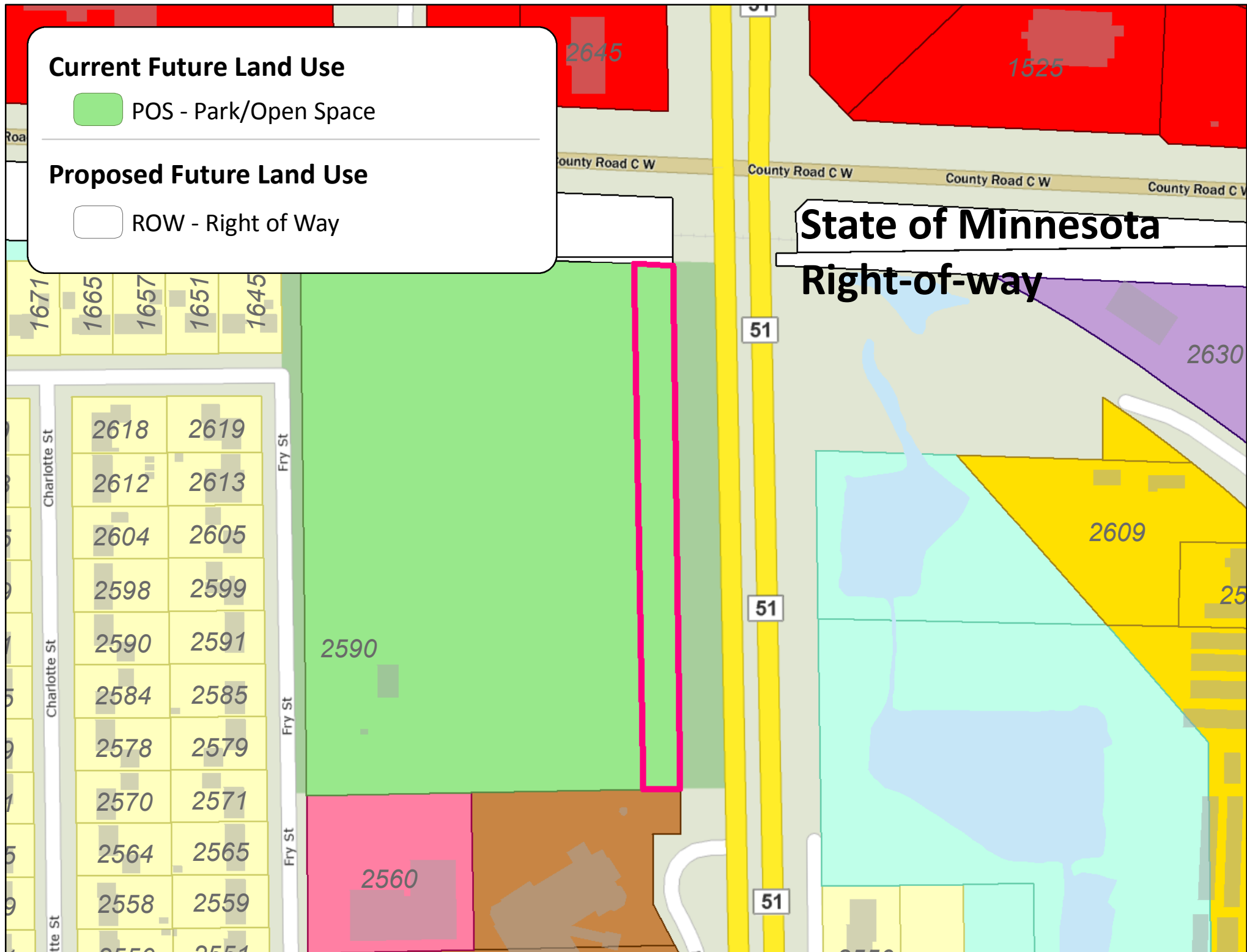


Current Future Land Use

 POS - Park/Open Space

Proposed Future Land Use

 ROW - Right of Way

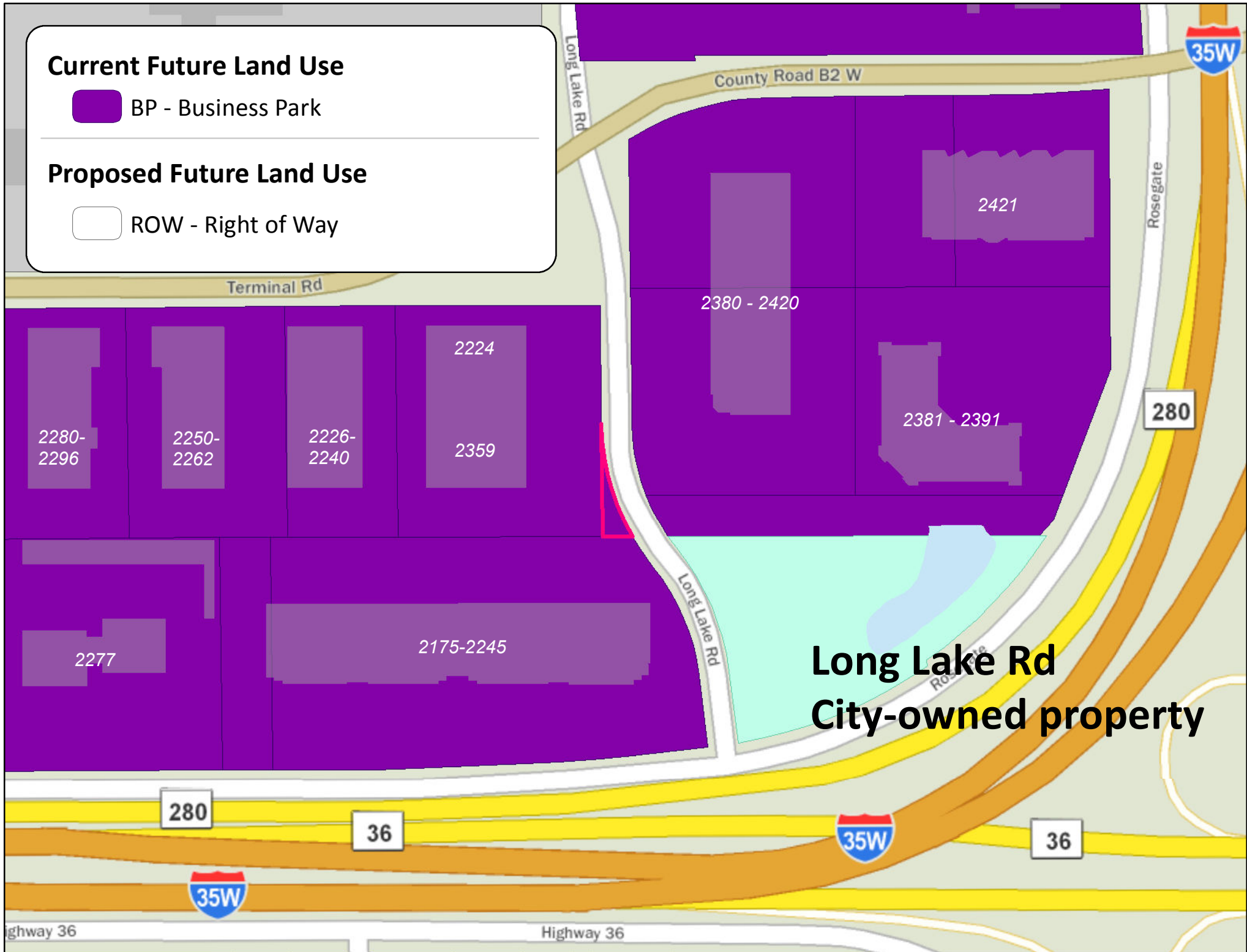


Current Future Land Use

 BP - Business Park

Proposed Future Land Use

 ROW - Right of Way

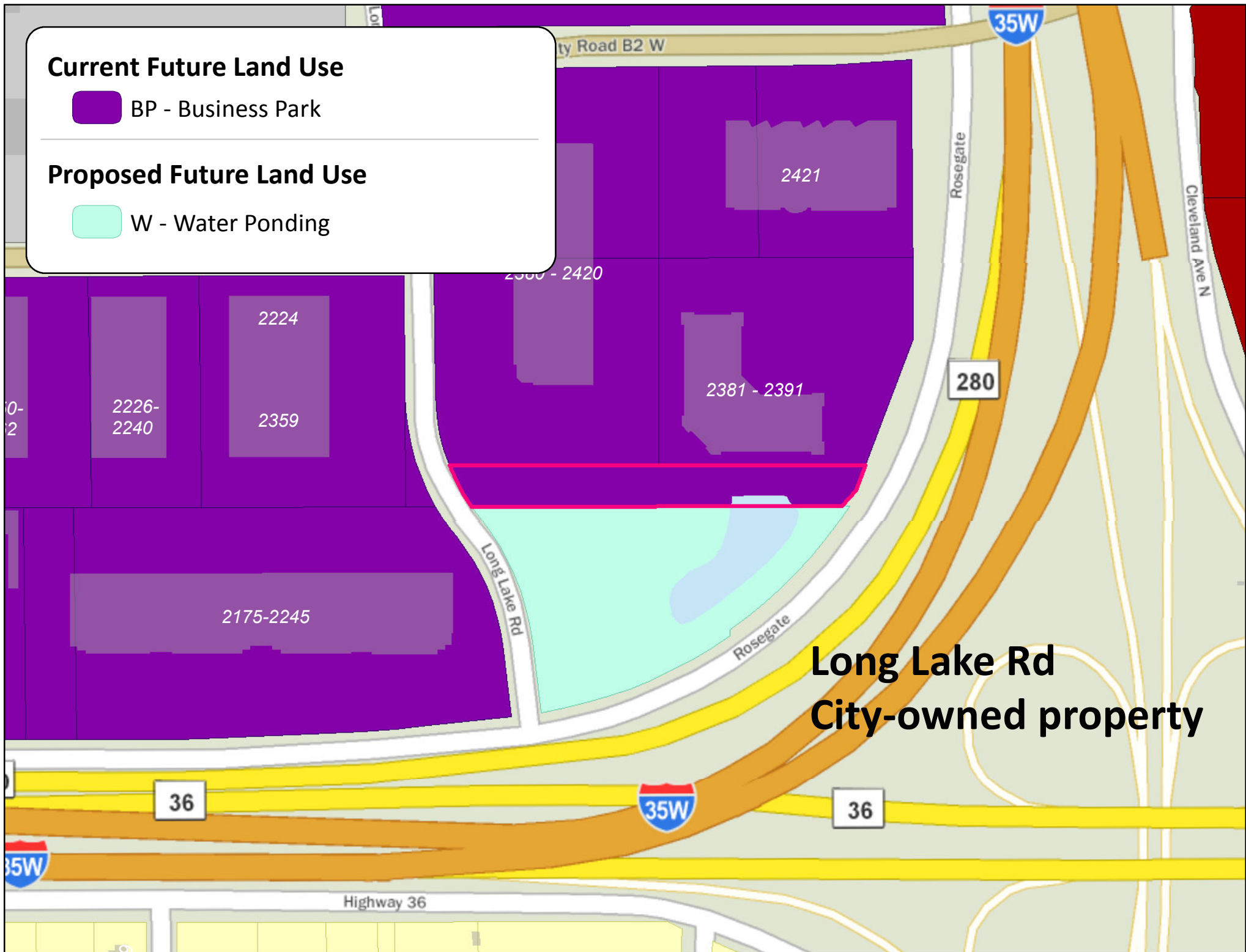


Current Future Land Use

 BP - Business Park

Proposed Future Land Use

 W - Water Ponding

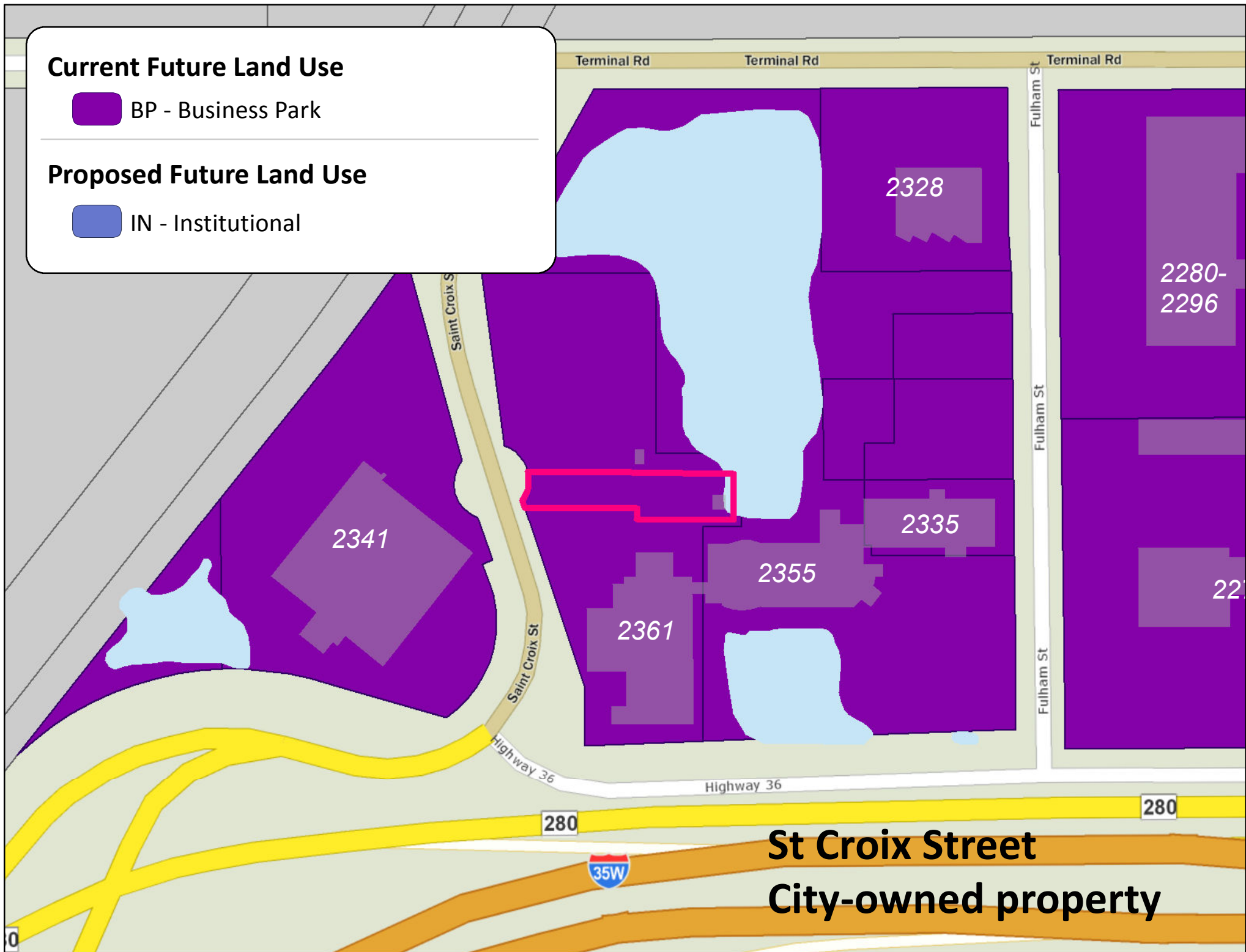


Current Future Land Use

 BP - Business Park

Proposed Future Land Use

 IN - Institutional

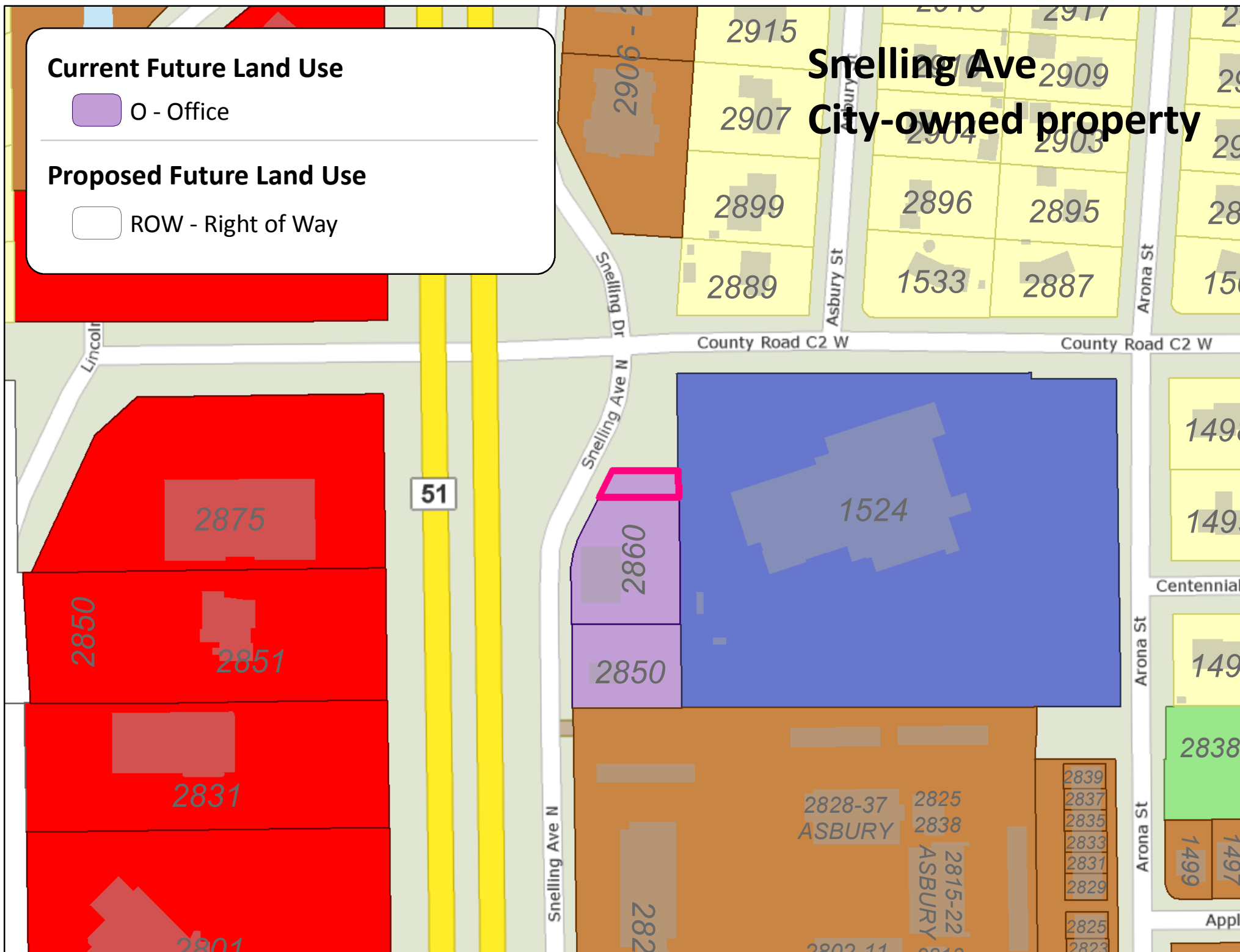


 O - Office

☐ ROW - Right of Way

Snelling Ave

City-owned property

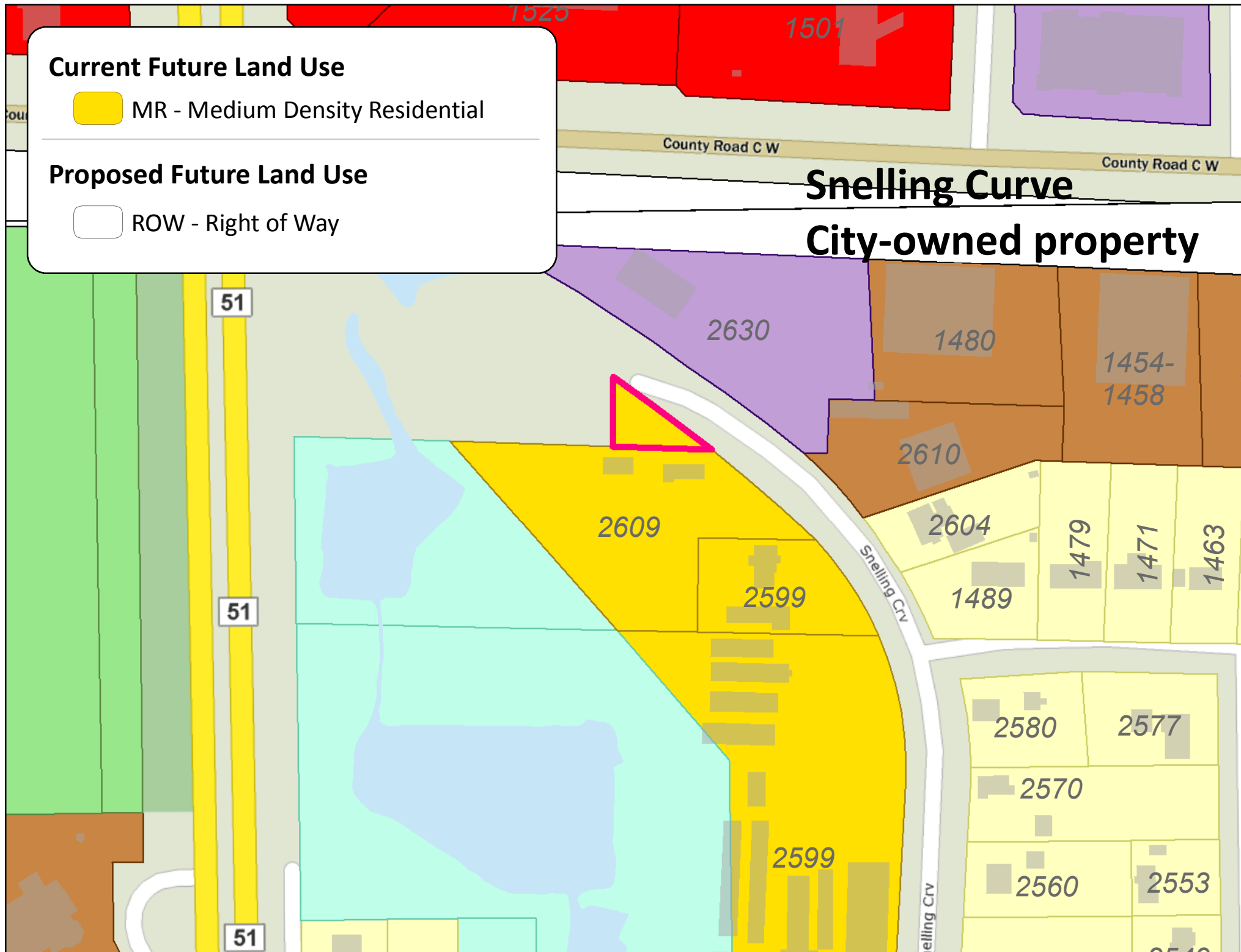


Current Future Land Use

 MR - Medium Density Residential

Proposed Future Land Use

 ROW - Right of Way



Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

☐ ROW - Right of Way

South McCarrons Blvd

City-owned property

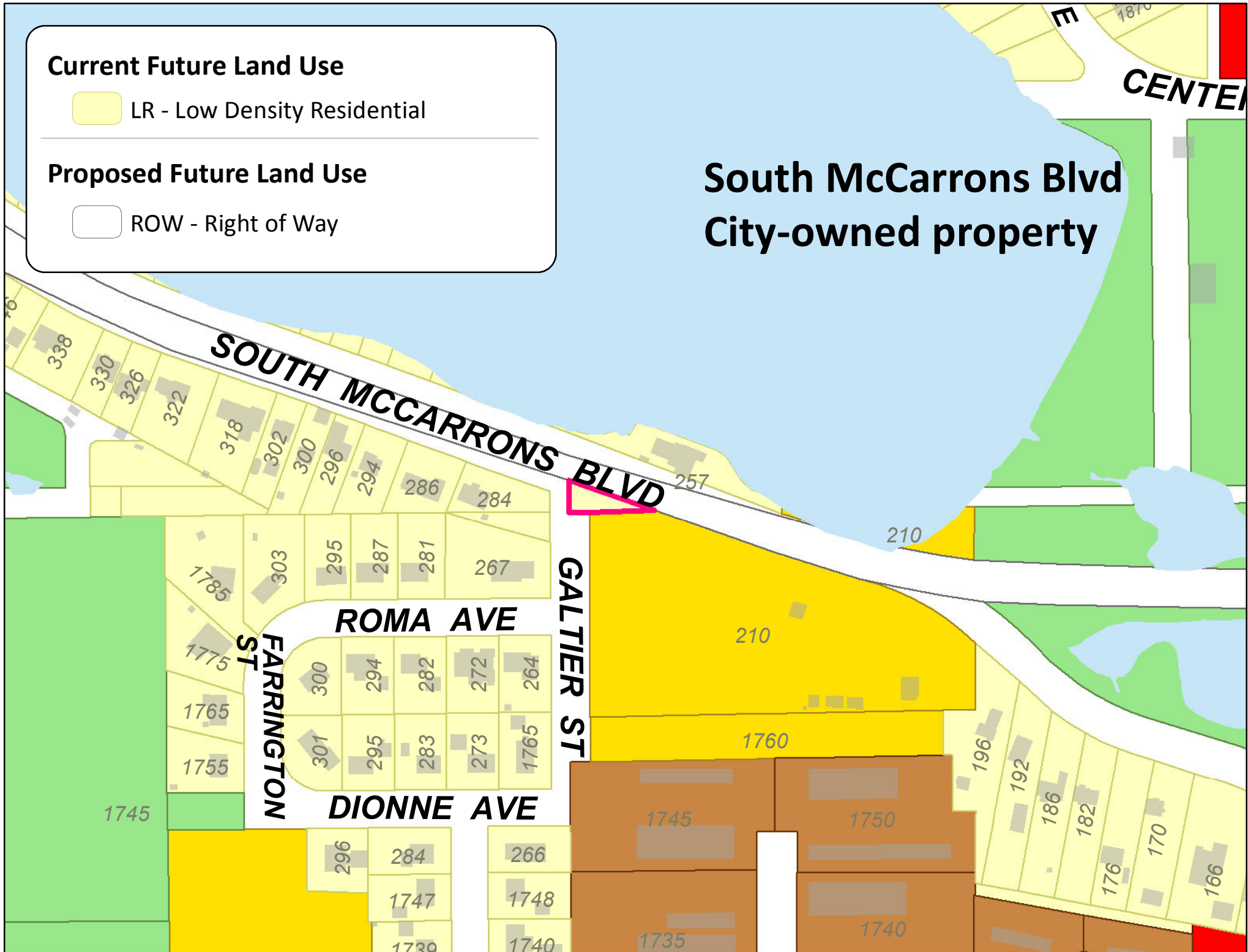
GALTIER ST

ROMA AVE

DIONNE AVE

**FARRINGTON
ST**

CENTER



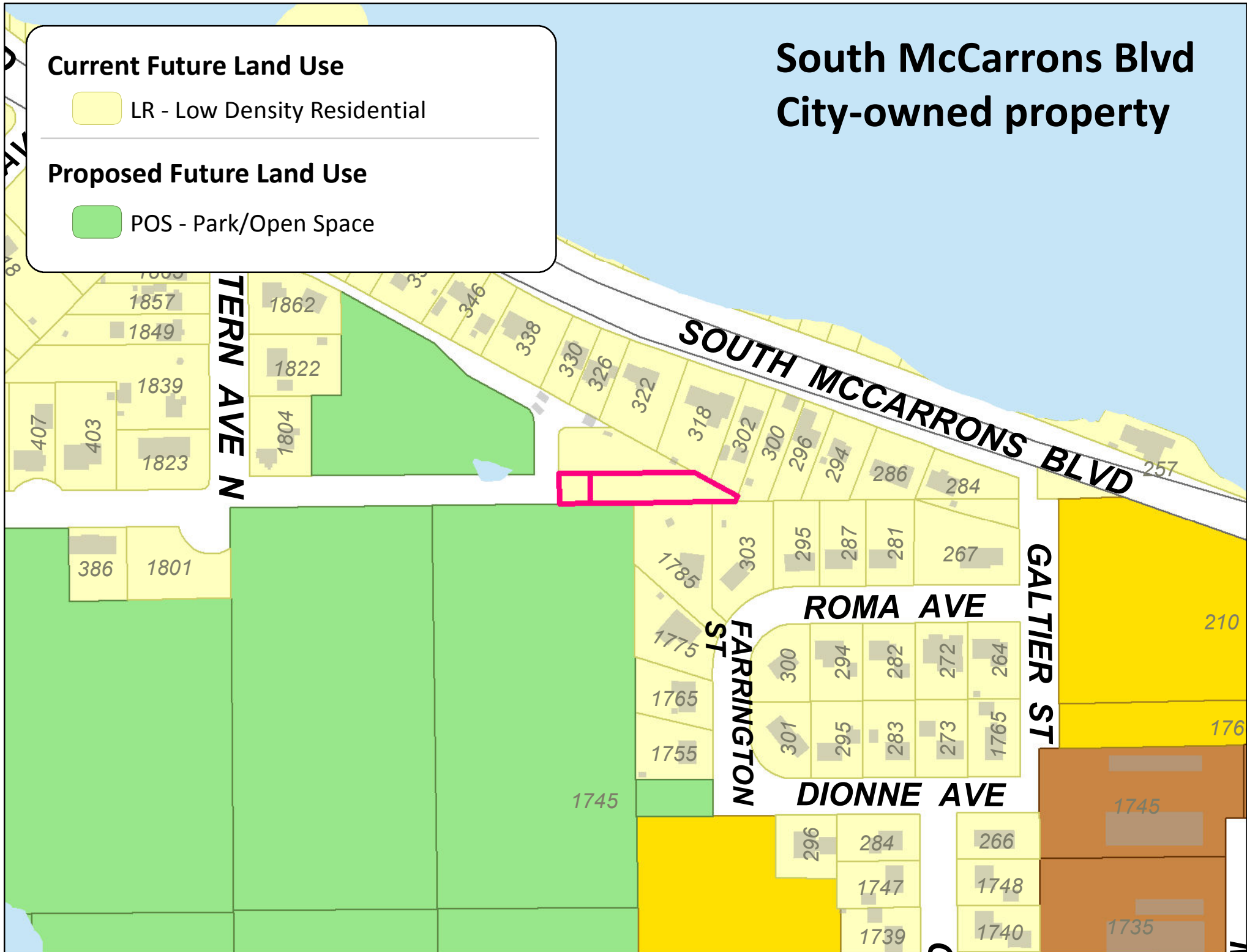
Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 POS - Park/Open Space

South McCarrons Blvd
City-owned property



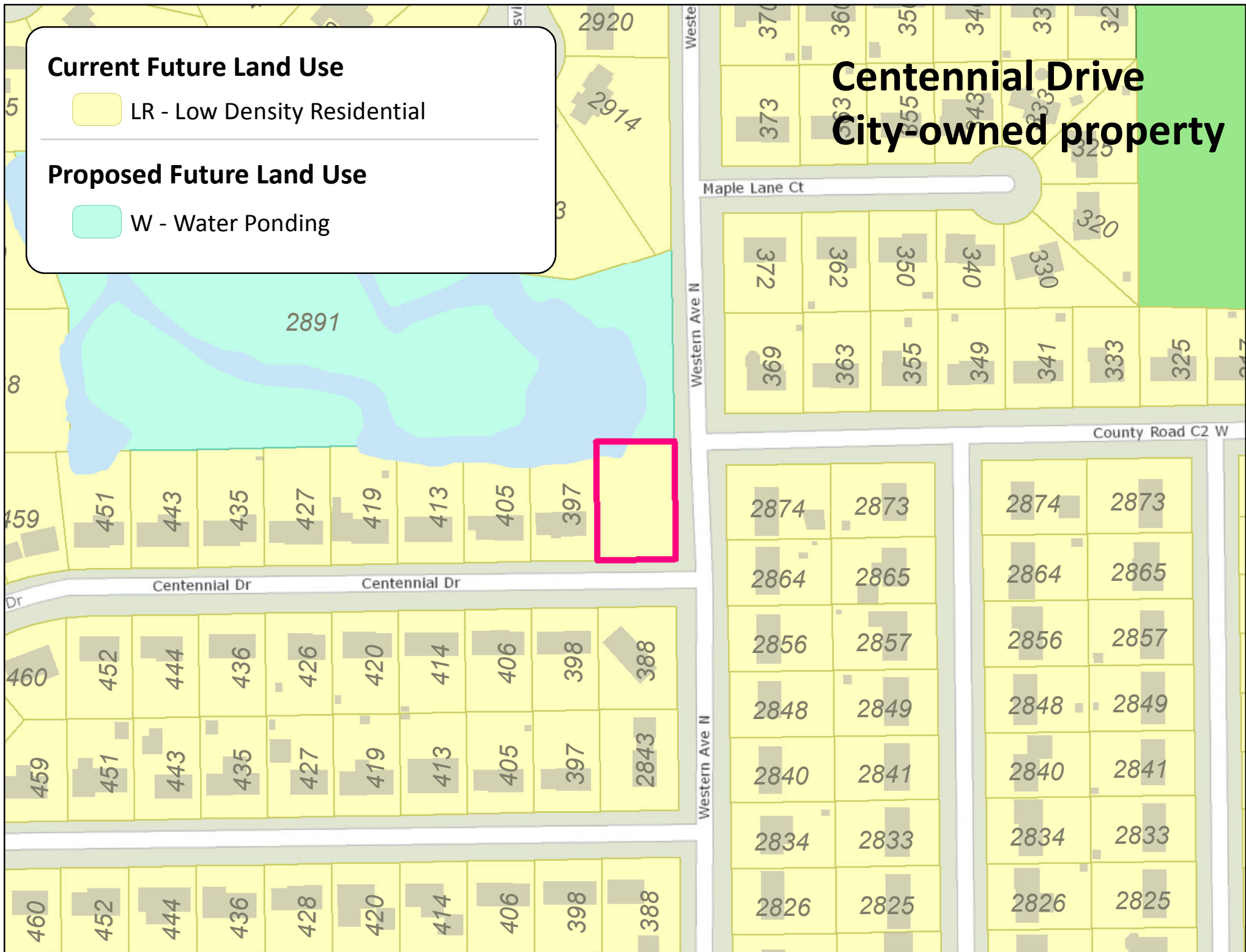
Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 W - Water Ponding

Centennial Drive City-owned property



Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 POS - Park/Open Space

West Owasso Blvd
City-owned property

City of Shoreview



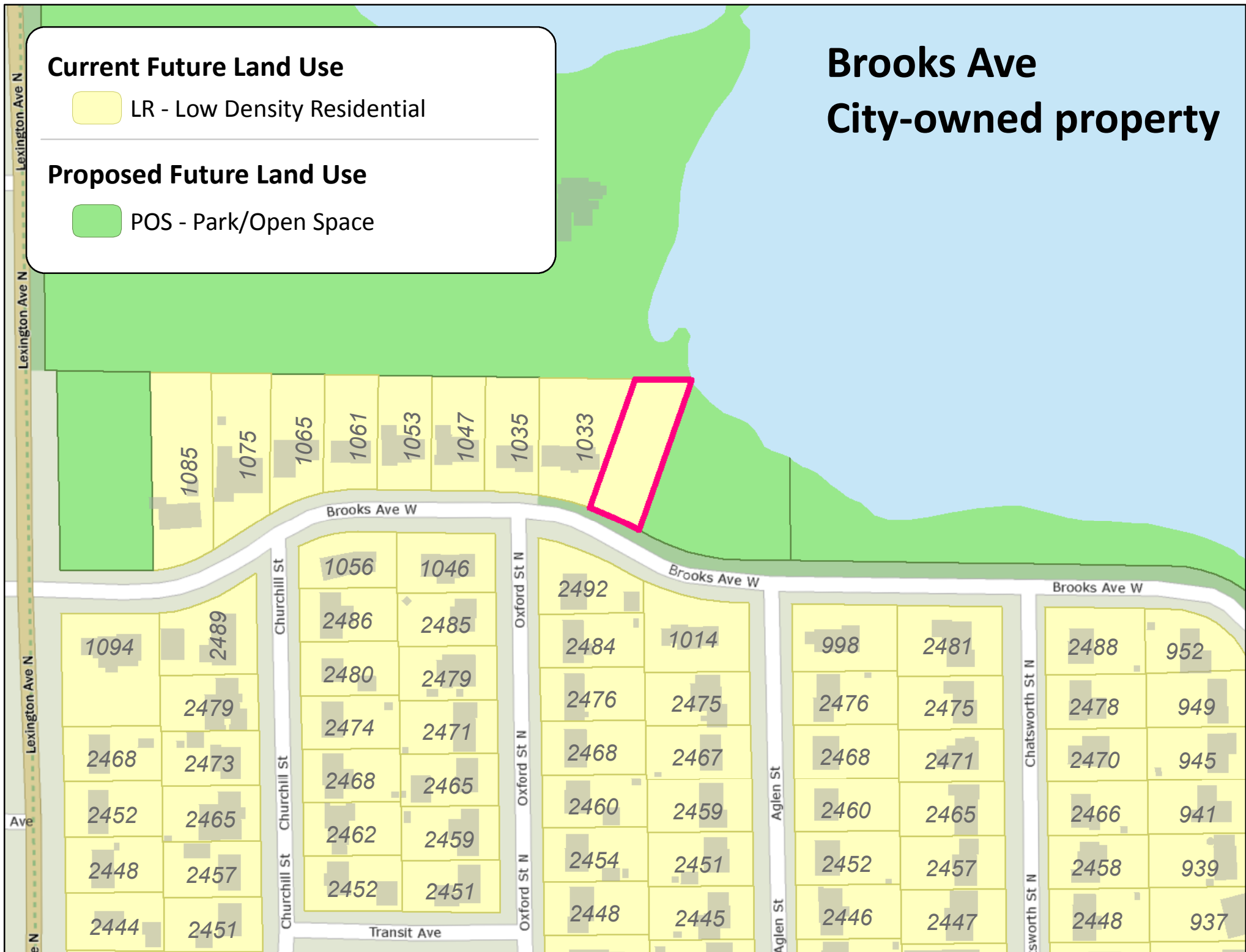
Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 POS - Park/Open Space

Brooks Ave City-owned property



Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 ROW - Right of Way

Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 ROW - Right of Way

Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

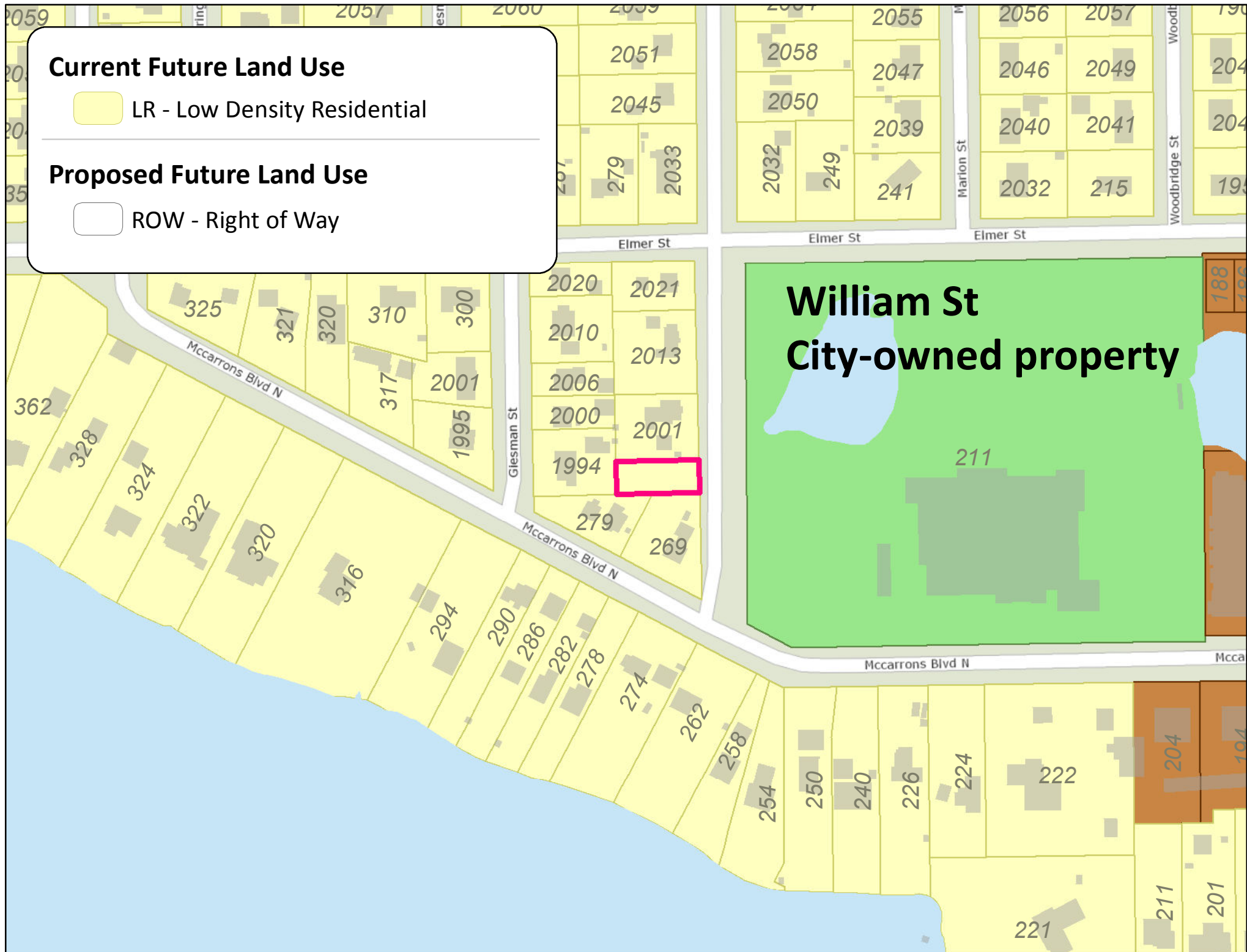
 ROW - Right of Way

Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 ROW - Right of Way



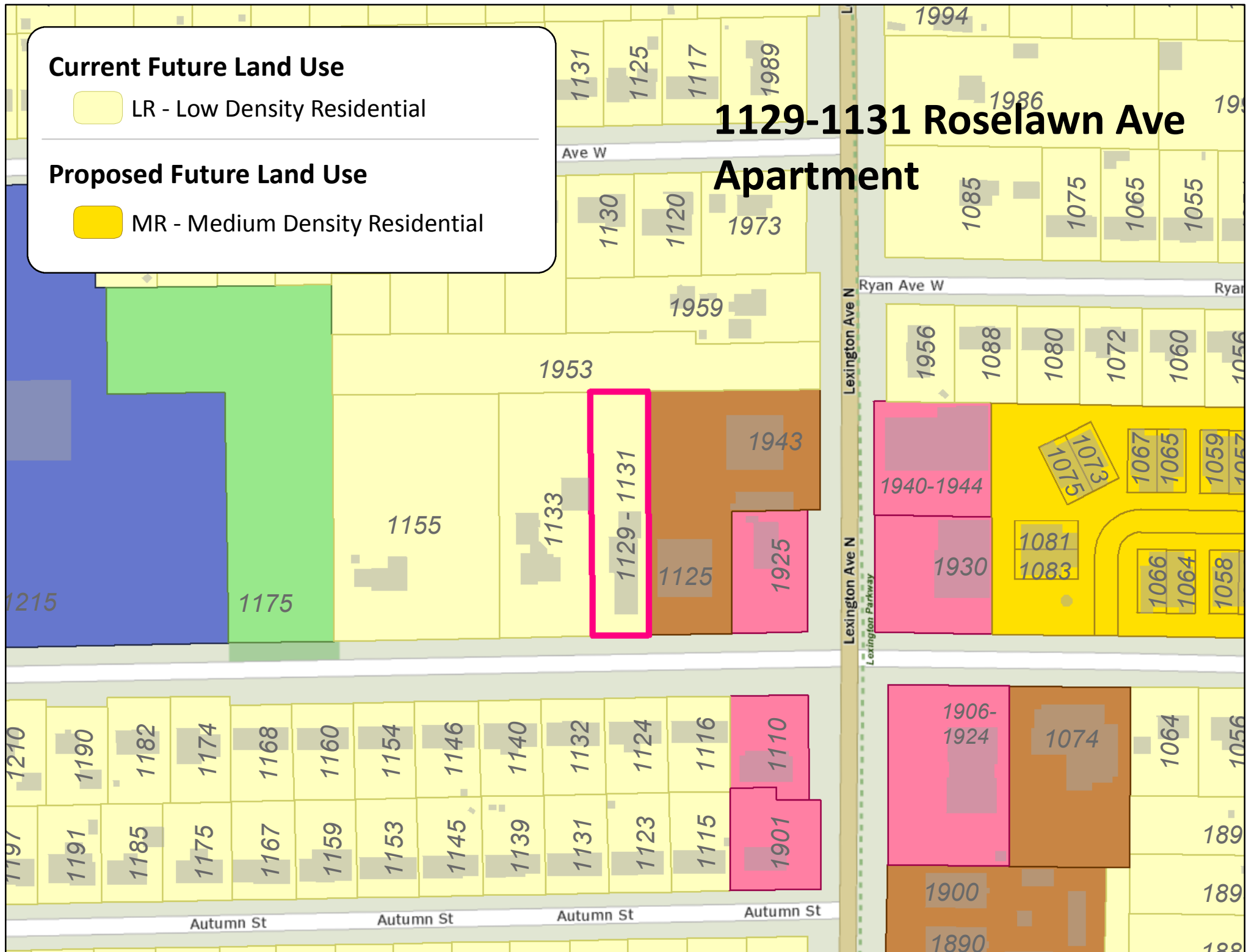
Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 MR - Medium Density Residential

1129-1131 Roselawn Ave Apartment

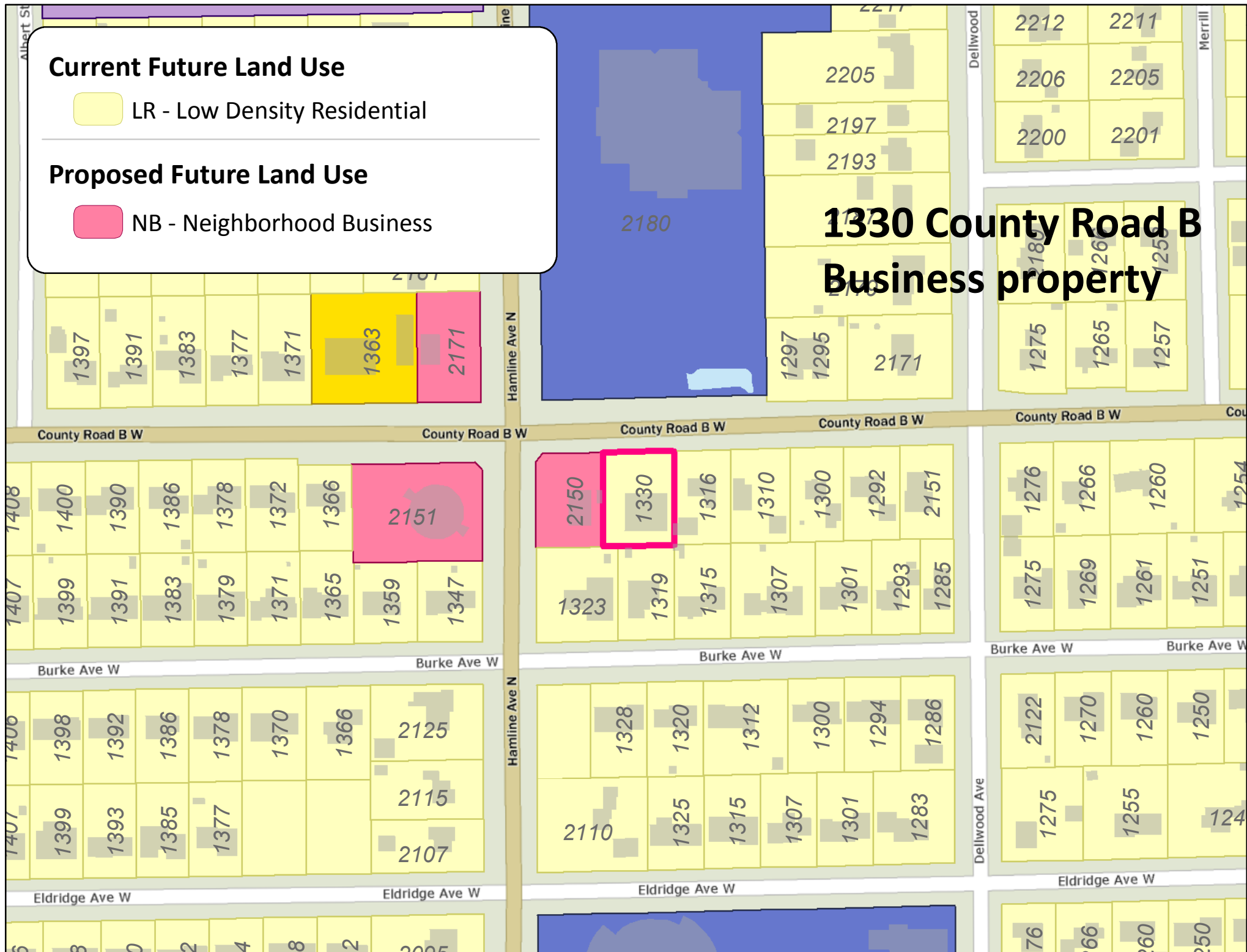


Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 NB - Neighborhood Business



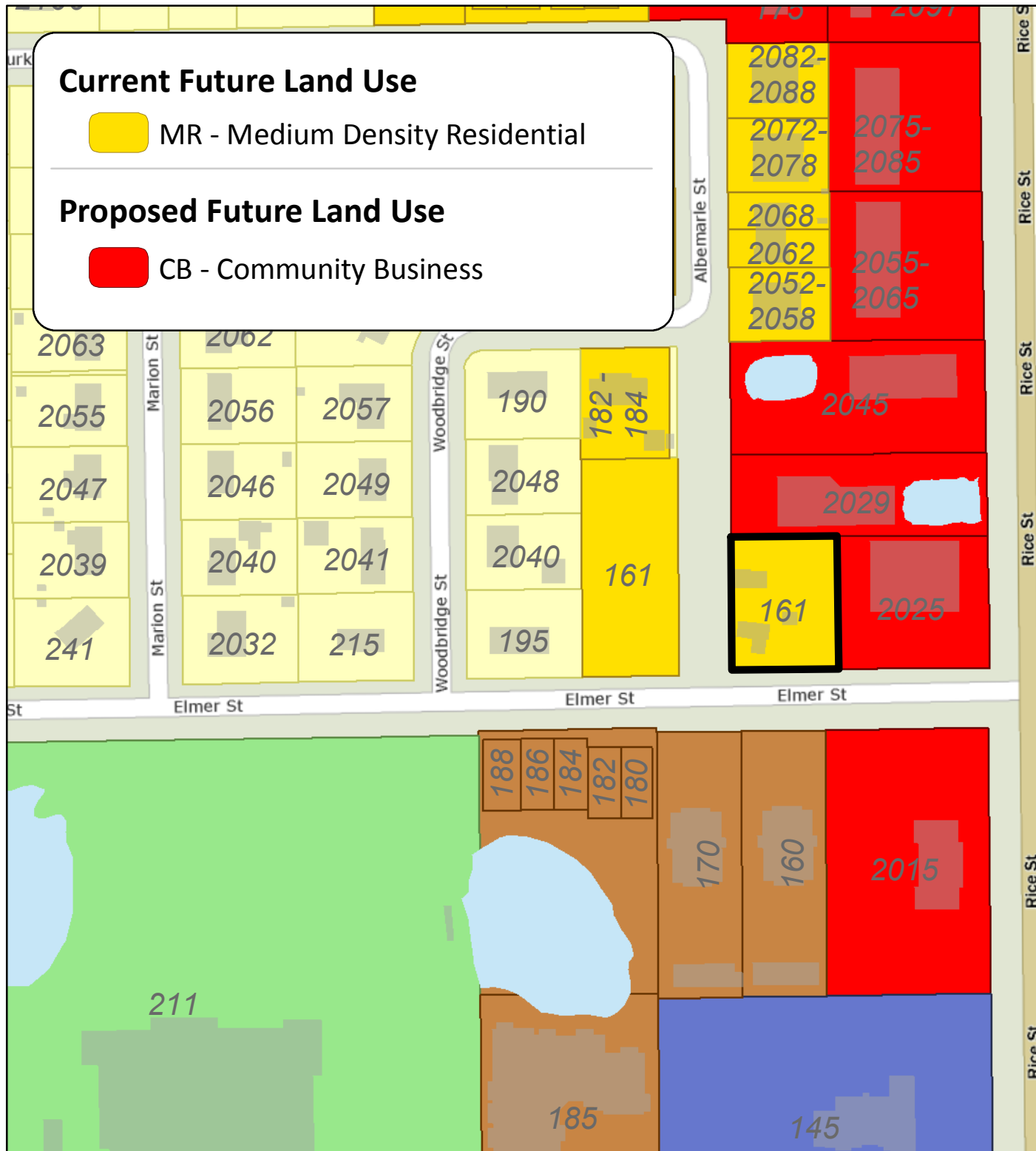
**1330 County Road B
Business property**

Current Future Land Use

 MR - Medium Density Residential

Proposed Future Land Use

 CB - Community Business



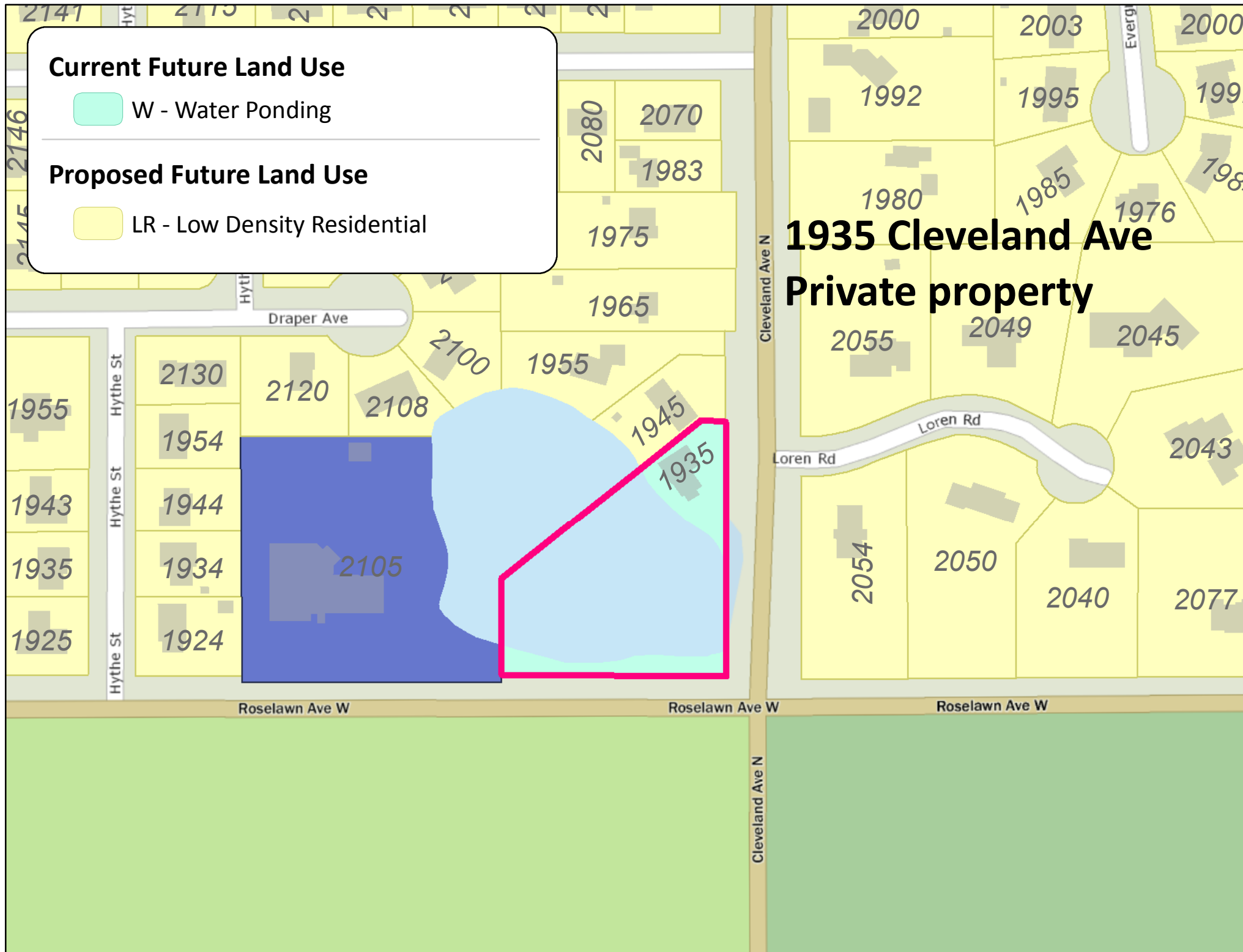
161 Elmer St
Zoned B1 in 1980s

Current Future Land Use

 W - Water Ponding

Proposed Future Land Use

 LR - Low Density Residential



Current Future Land Use

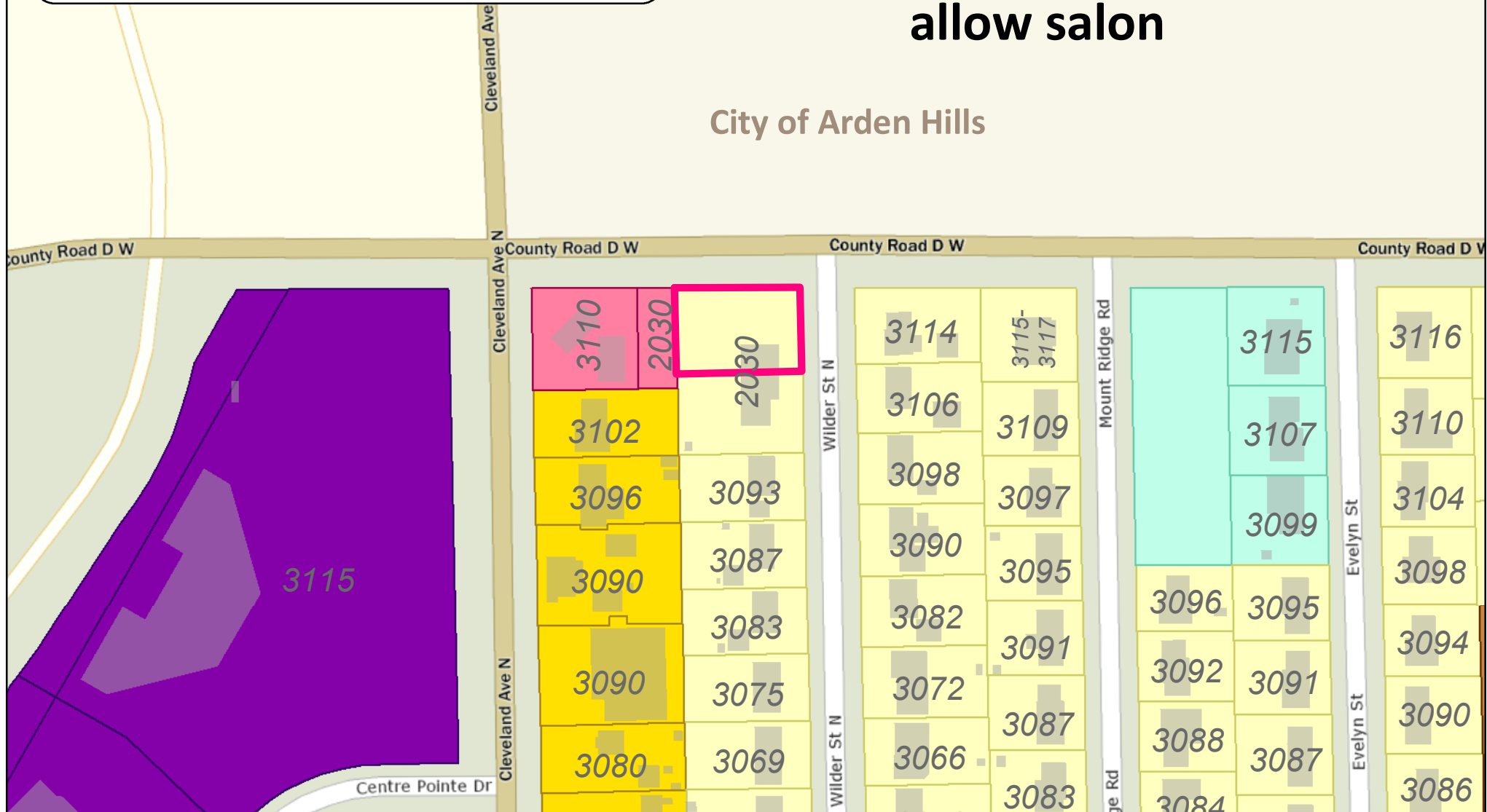
 LR - Low Density Residential

Proposed Future Land Use

 NB - Neighborhood Business

2030 County Road D
Half of property zoned
business in 1970s to
allow salon

City of Arden Hills



Current Future Land Use

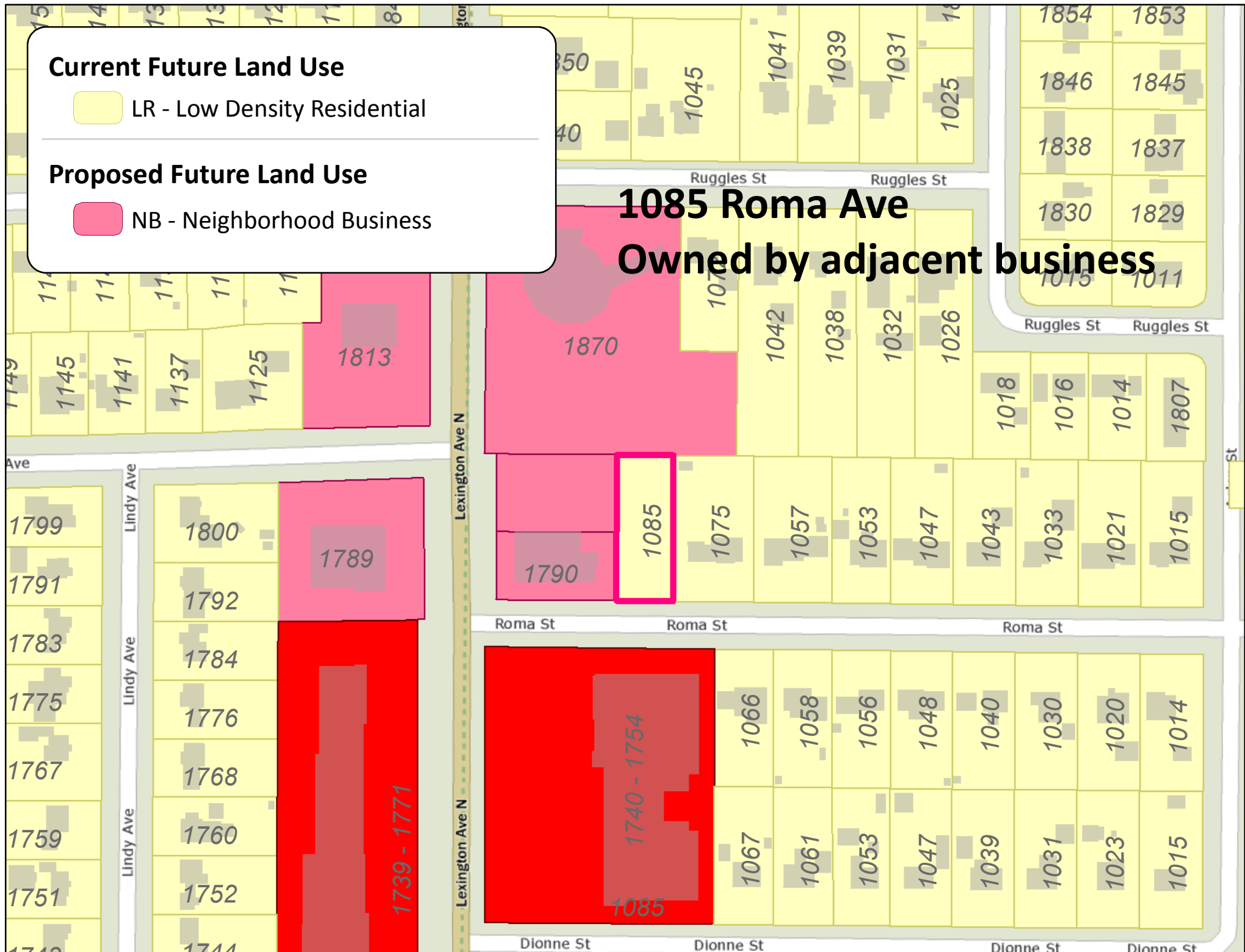
 LR - Low Density Residential

Proposed Future Land Use

 NB - Neighborhood Business

1085 Roma Ave

Owned by adjacent business



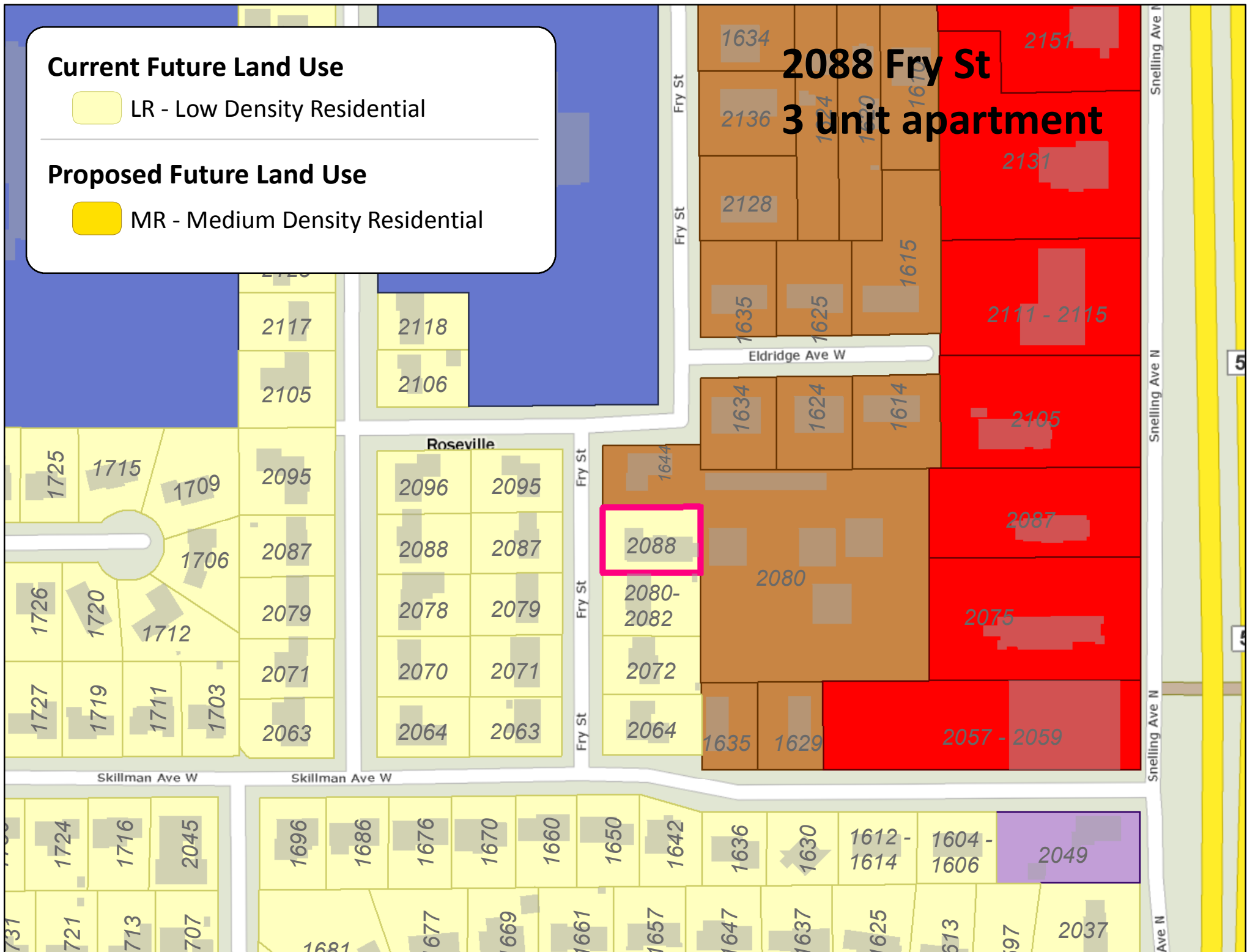
Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 MR - Medium Density Residential

2088 Fry St
3 unit apartment

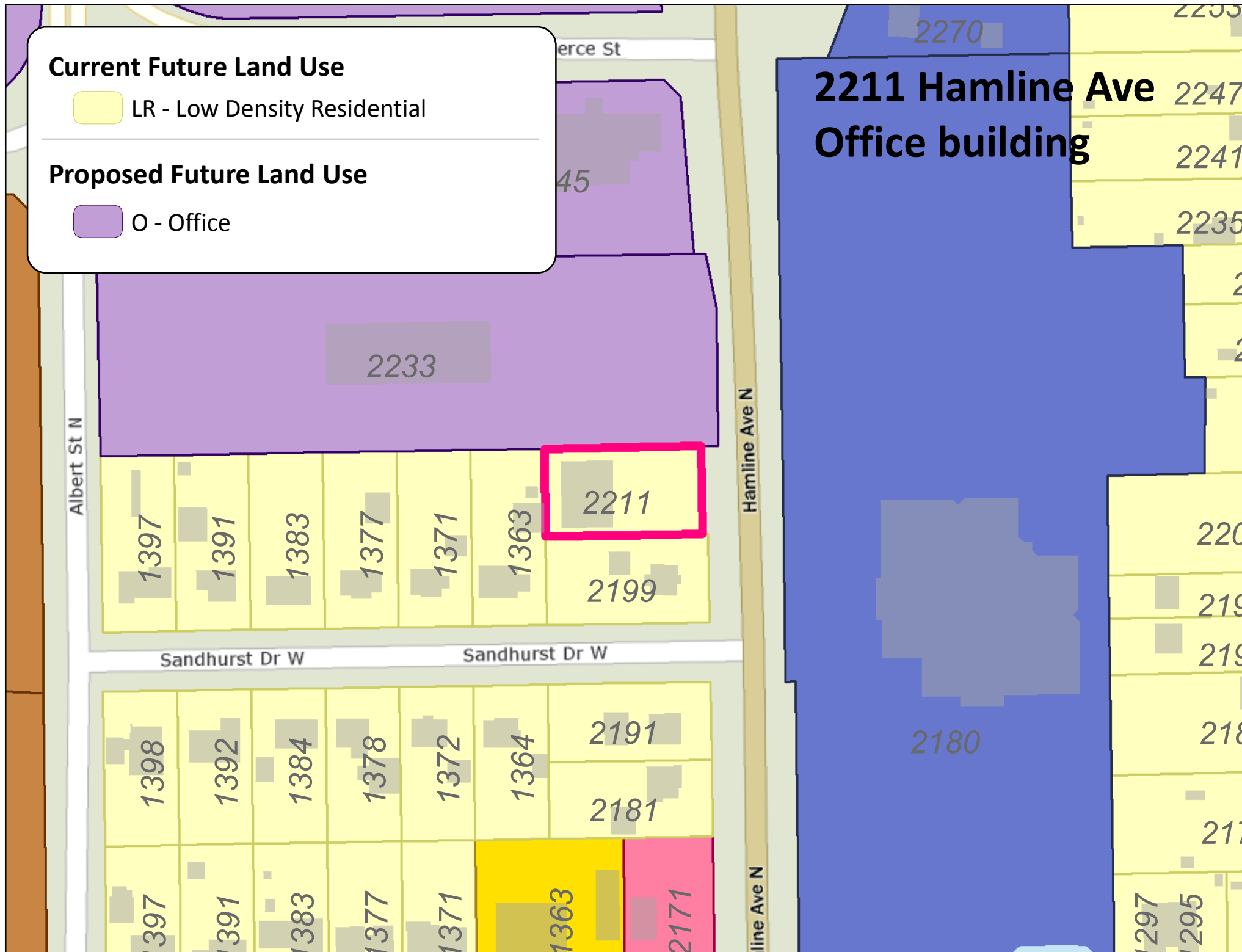


Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 O - Office



Current Future Land Use



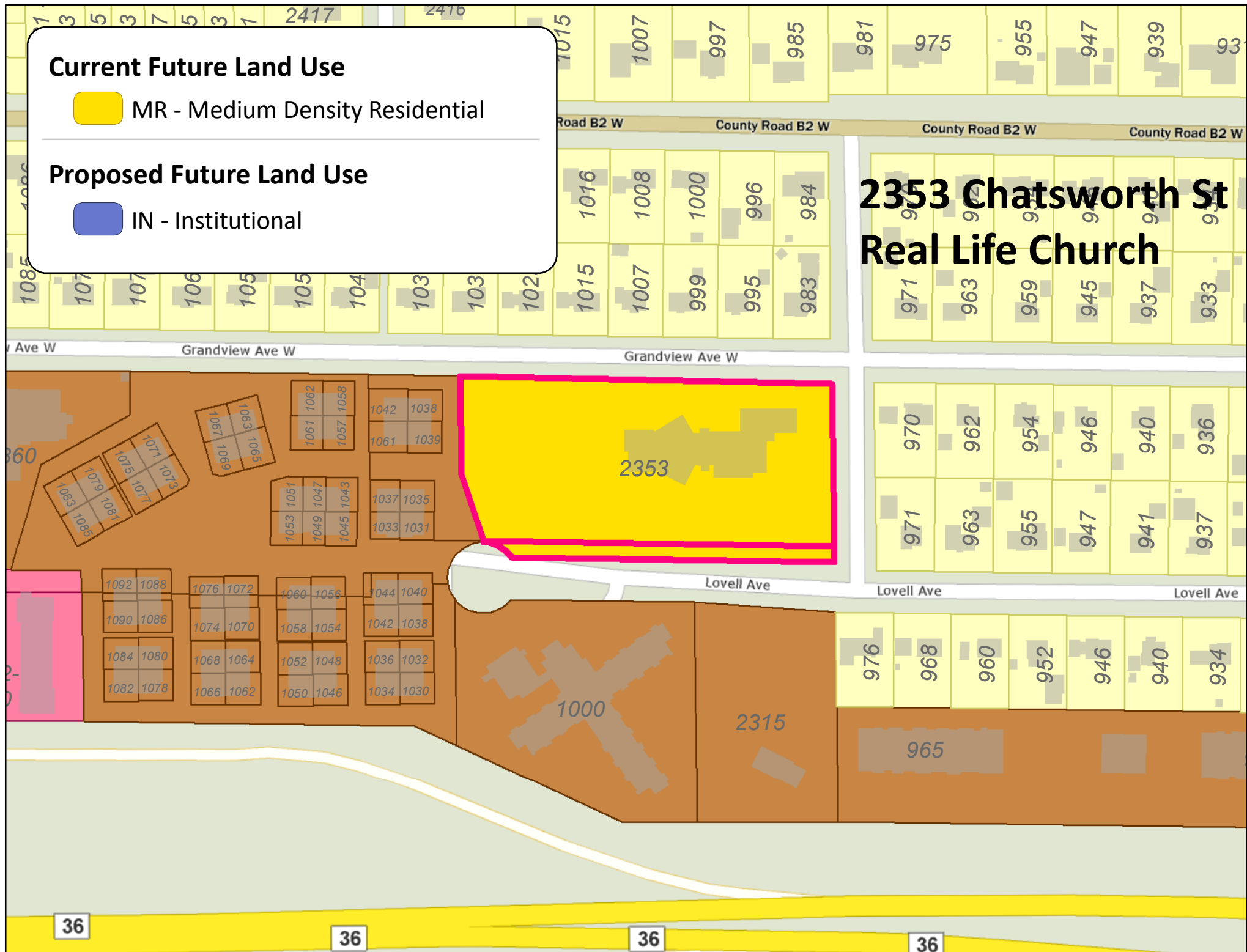
MR - Medium Density Residential

Proposed Future Land Use



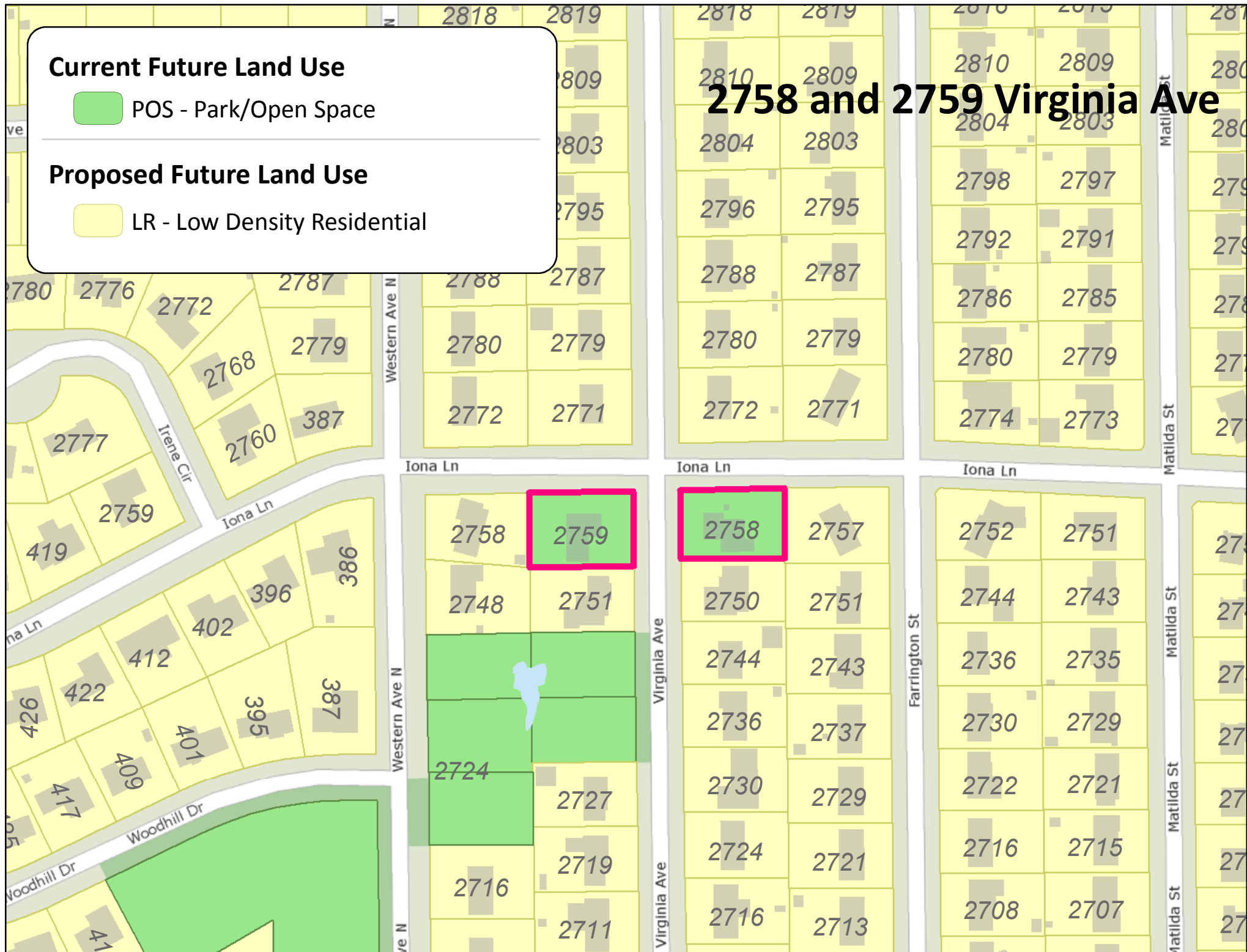
IN - Institutional

**2353 Chatsworth St
Real Life Church**



 LR - Low Density Residential

2758 and 2759 Virginia Ave

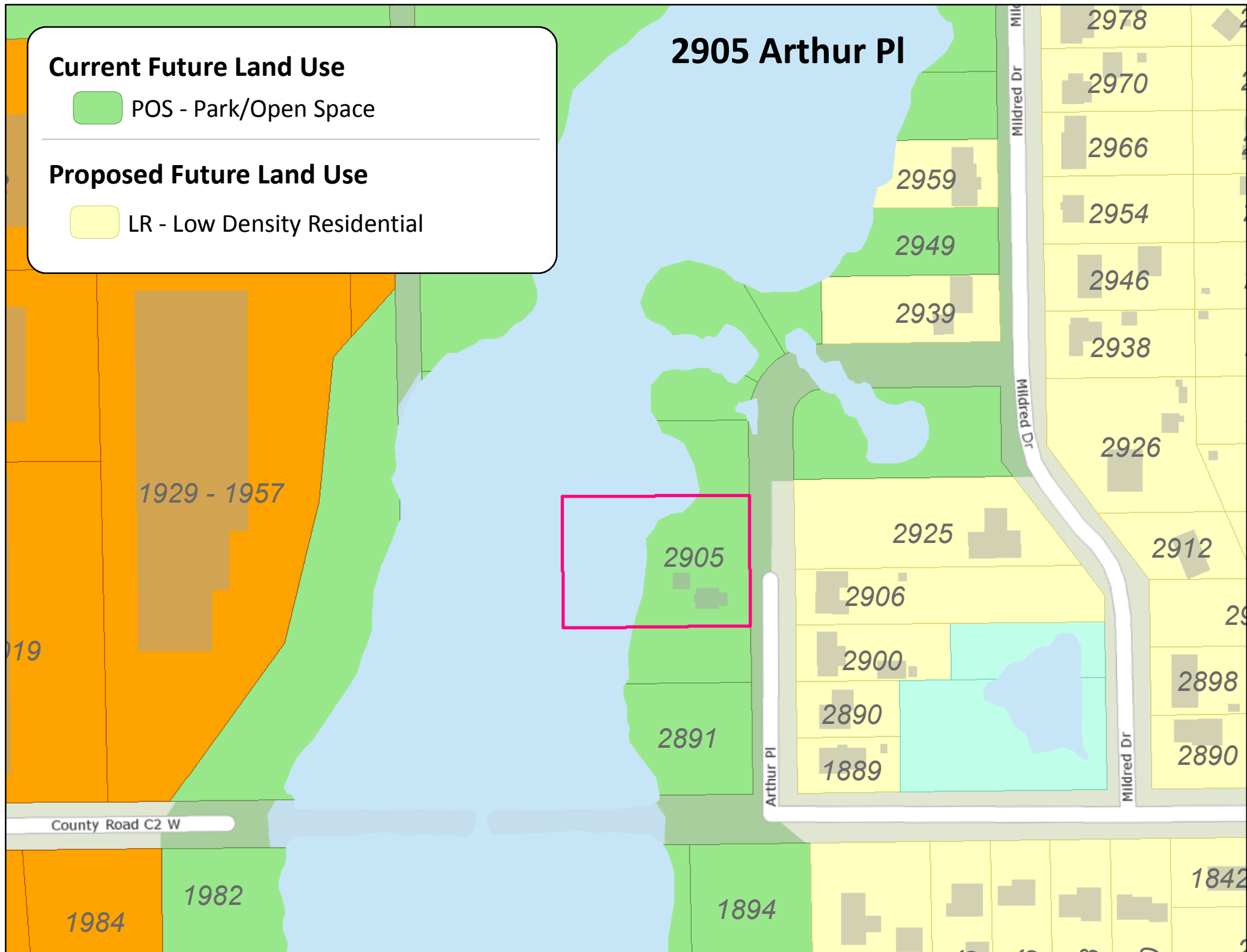


Current Future Land Use

 POS - Park/Open Space

Proposed Future Land Use

 LR - Low Density Residential



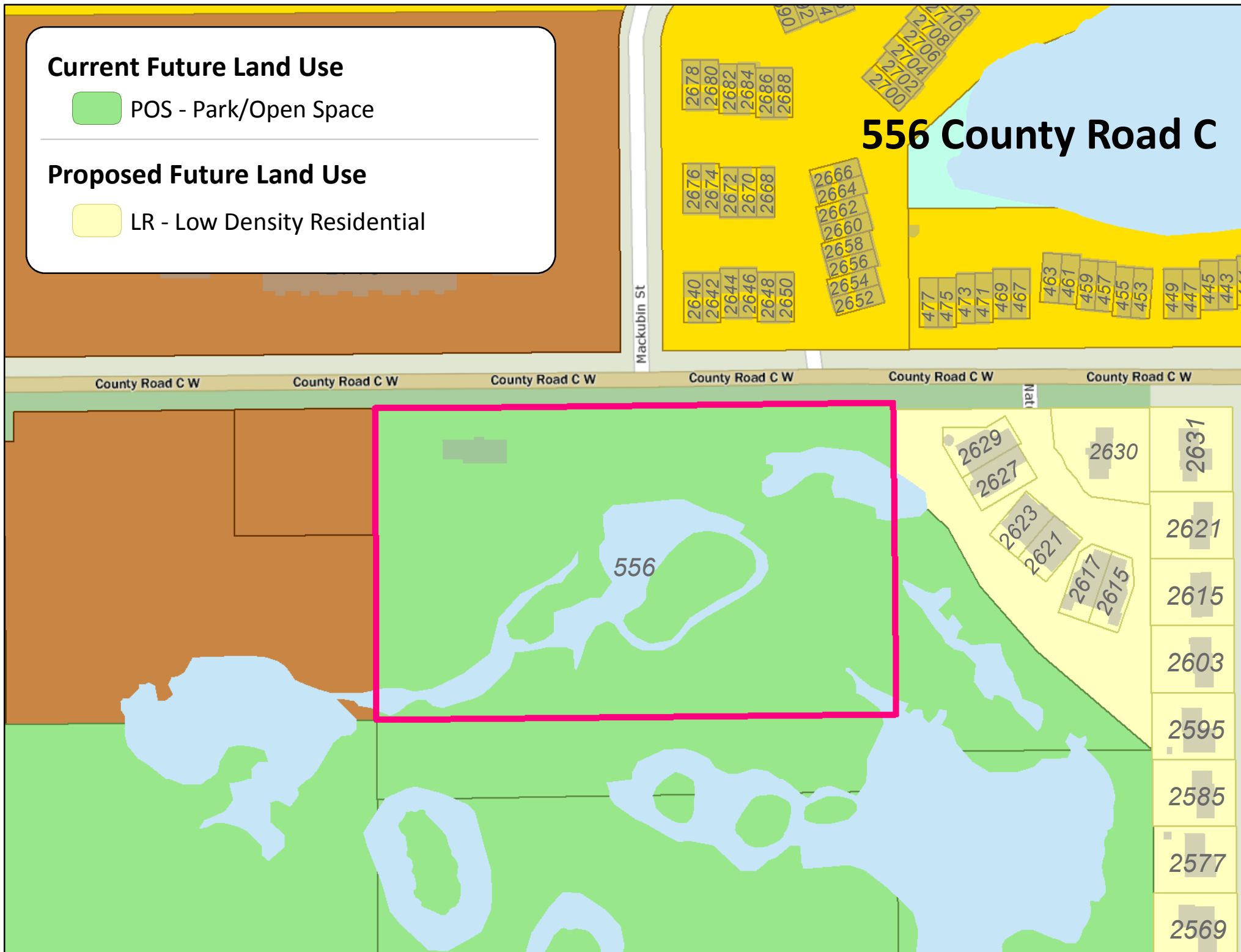
Current Future Land Use

 POS - Park/Open Space

Proposed Future Land Use

 LR - Low Density Residential

556 County Road C

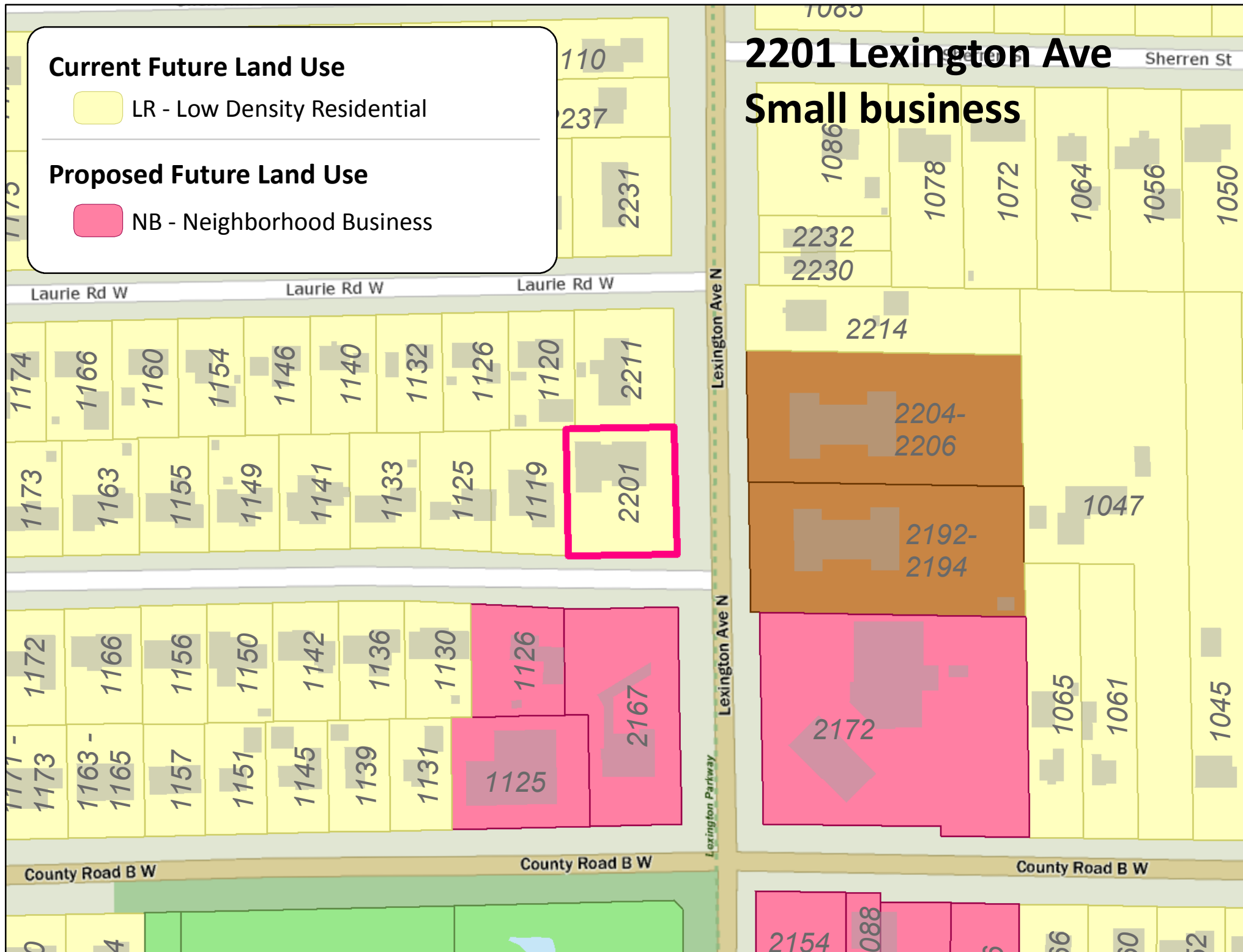


Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 NB - Neighborhood Business



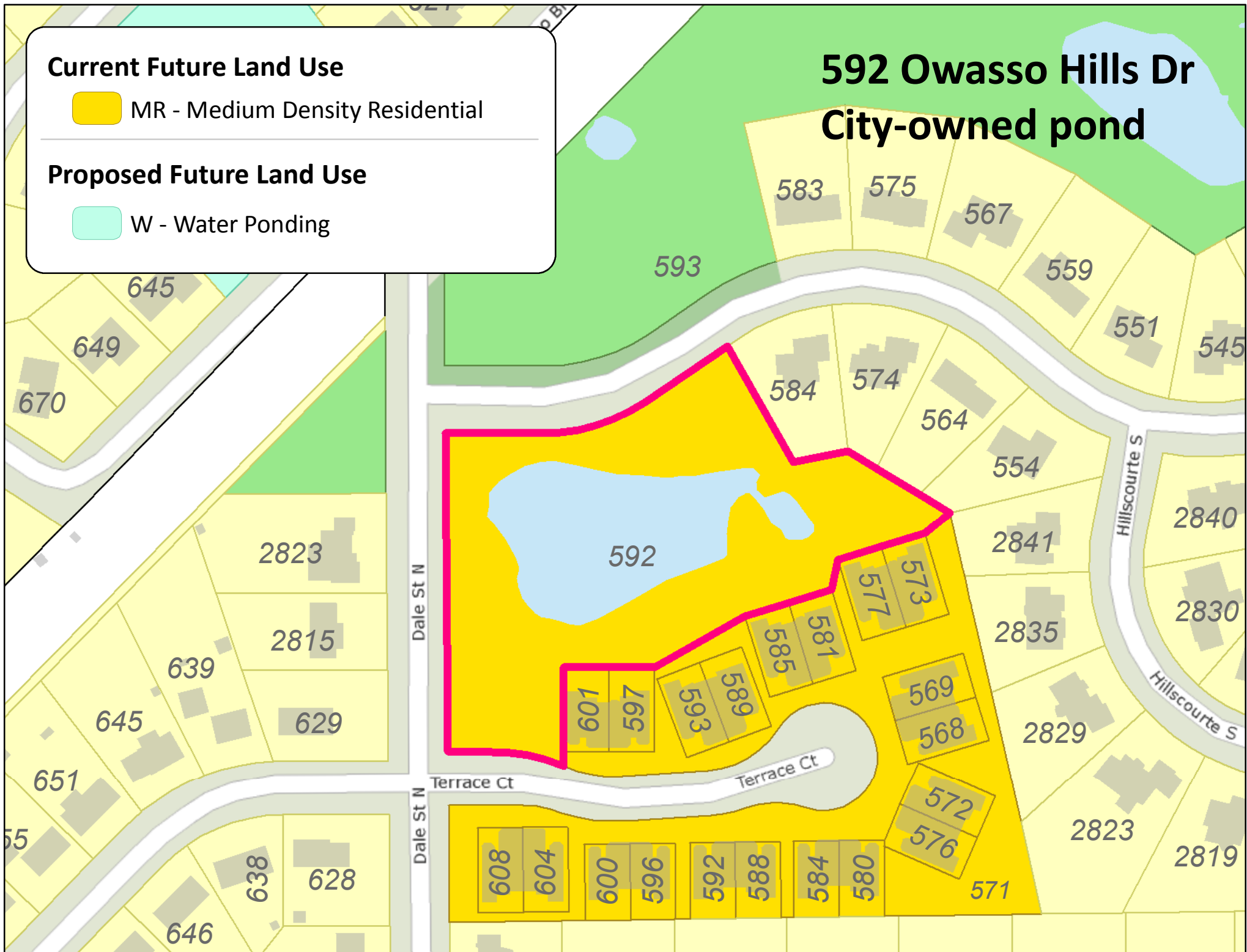
Current Future Land Use

 MR - Medium Density Residential

Proposed Future Land Use

 W - Water Ponding

592 Owasso Hills Dr
City-owned pond

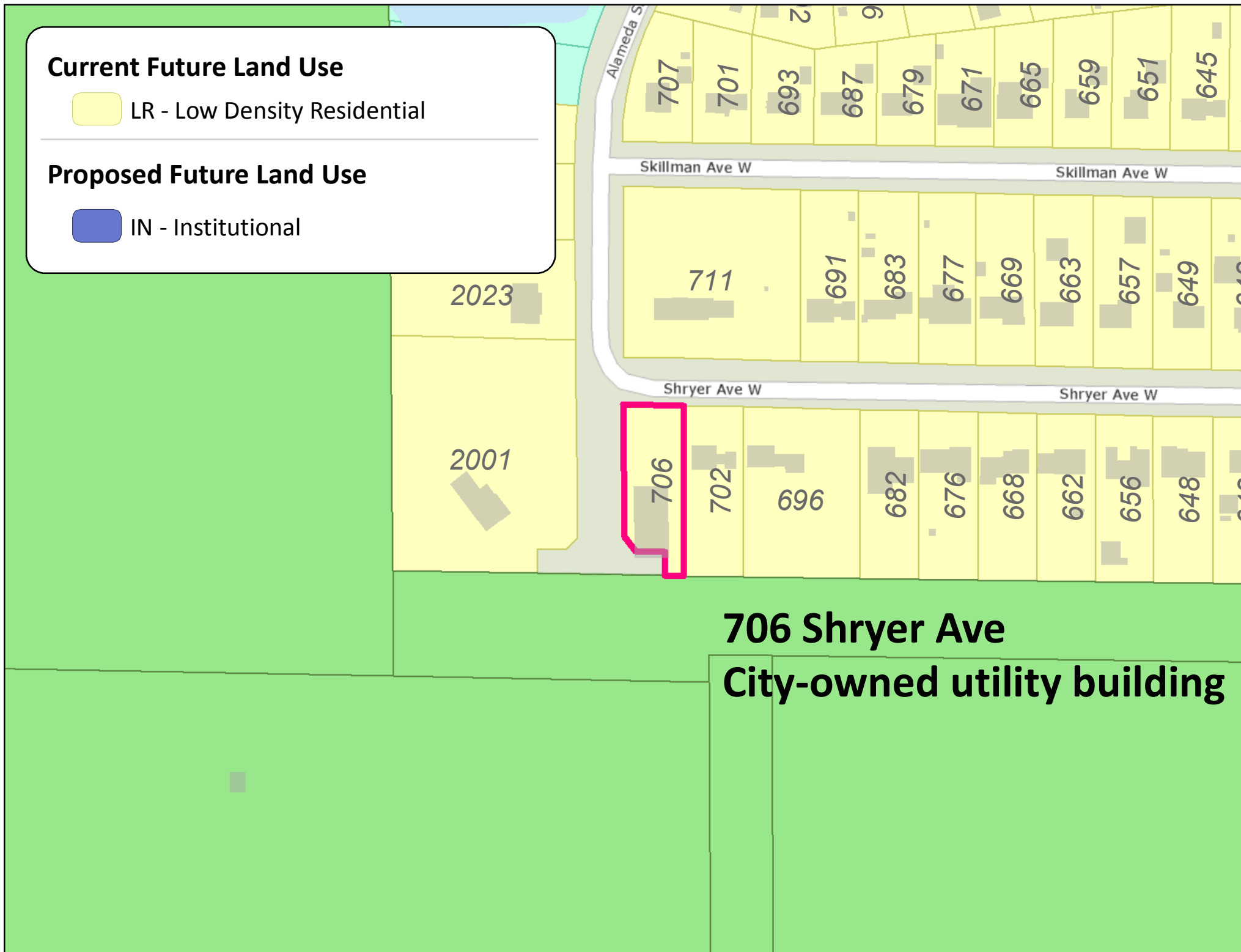


Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 IN - Institutional



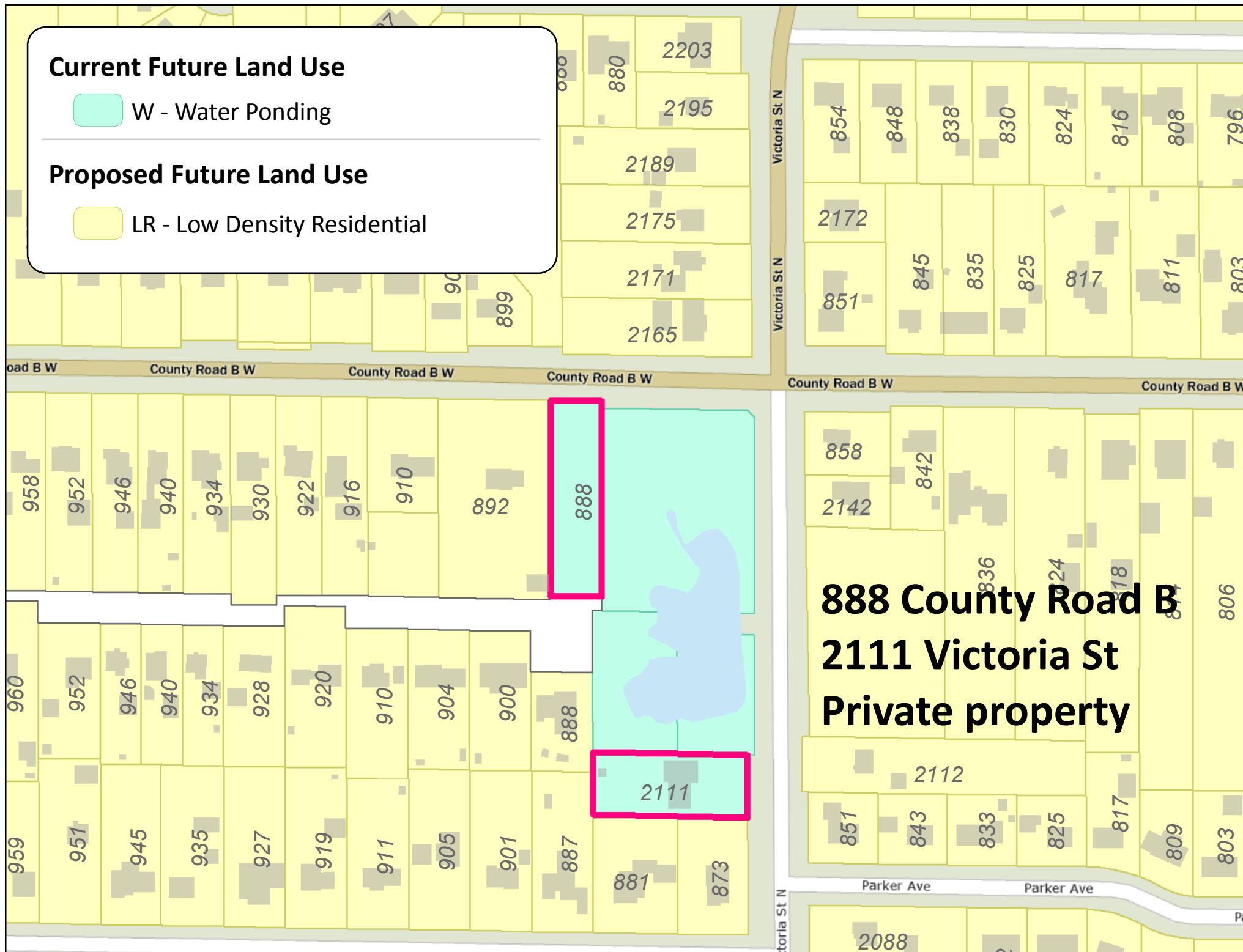
706 Shryer Ave
City-owned utility building

Current Future Land Use

 W - Water Ponding

Proposed Future Land Use

 LR - Low Density Residential



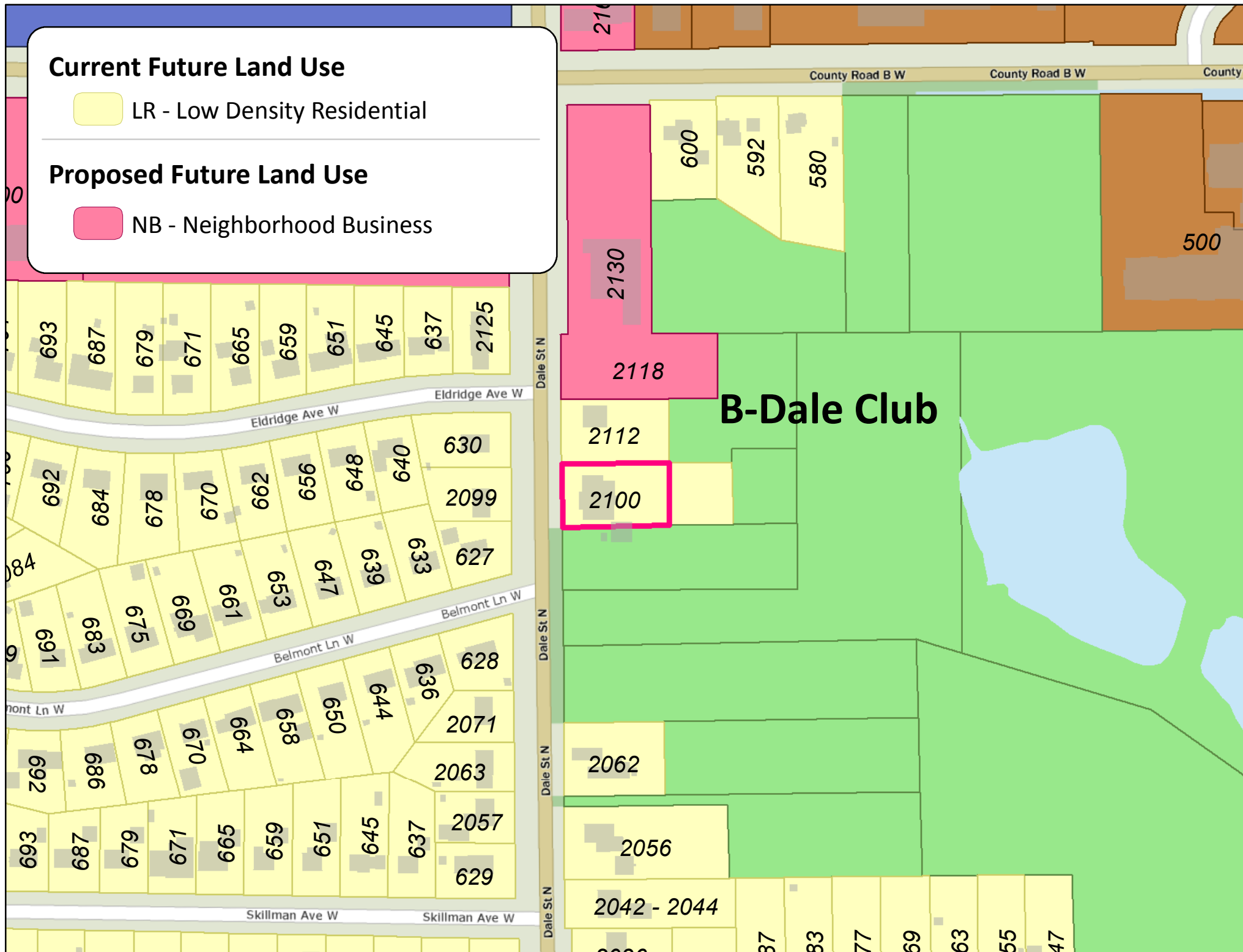
888 County Road B
2111 Victoria St
Private property

Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 NB - Neighborhood Business



Current Future Land Use

 IN - Institutional

Proposed Future Land Use

 LR - Low Density Residential

Current Future Land Use

 IN - Institutional

Proposed Future Land Use

 LR - Low Density Residential

Current Future Land Use

 IN - Institutional

Proposed Future Land Use

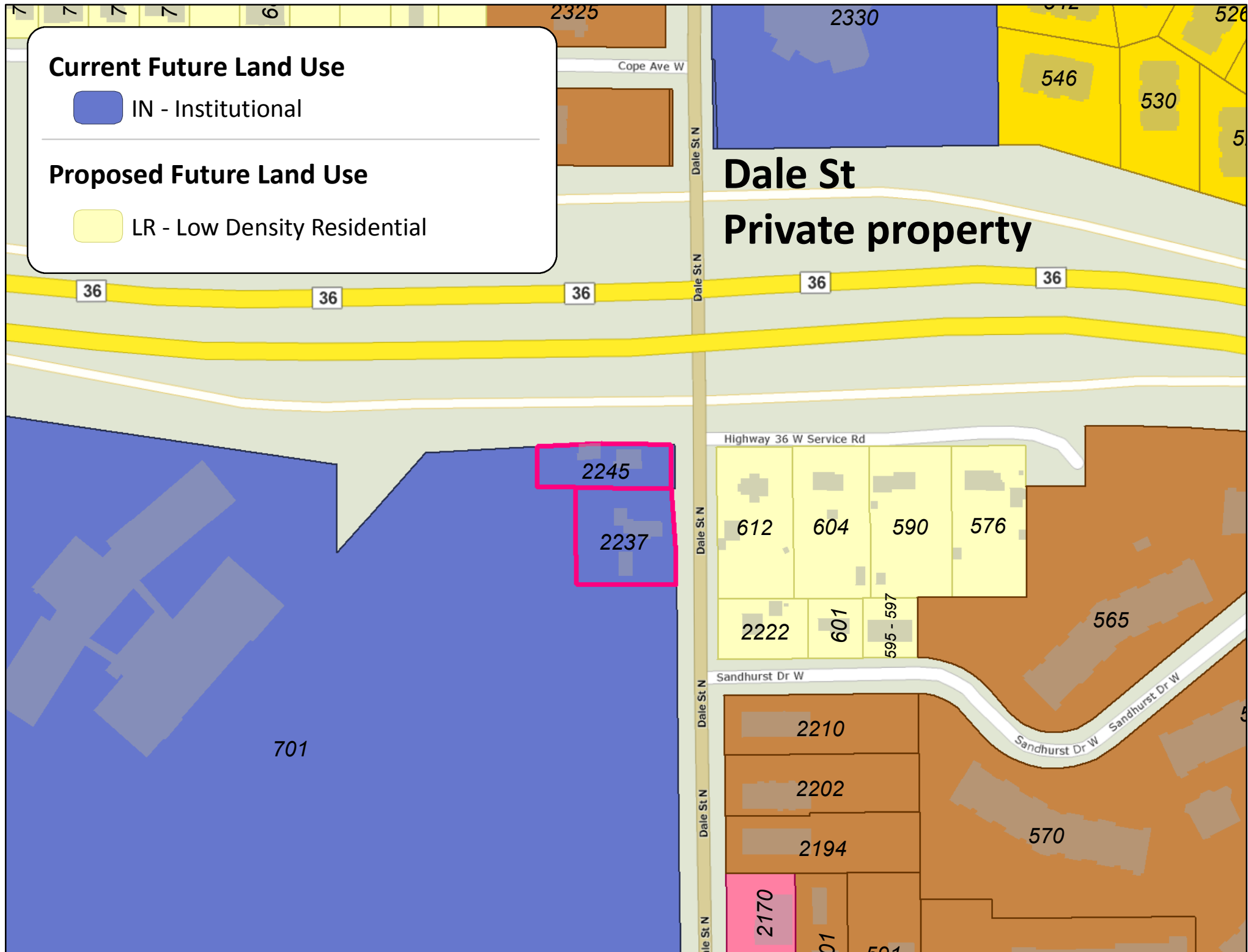
 LR - Low Density Residential

Current Future Land Use

 IN - Institutional

Proposed Future Land Use

 LR - Low Density Residential



Current Future Land Use

- POS - Park/Open Space

Proposed Future Land Use

- LR - Low Density Residential

Current Future Land Use

-  POS - Park/Open Space

Proposed Future Land Use

-  LR - Low Density Residential

Current Future Land Use

- POS - Park/Open Space

Proposed Future Land Use

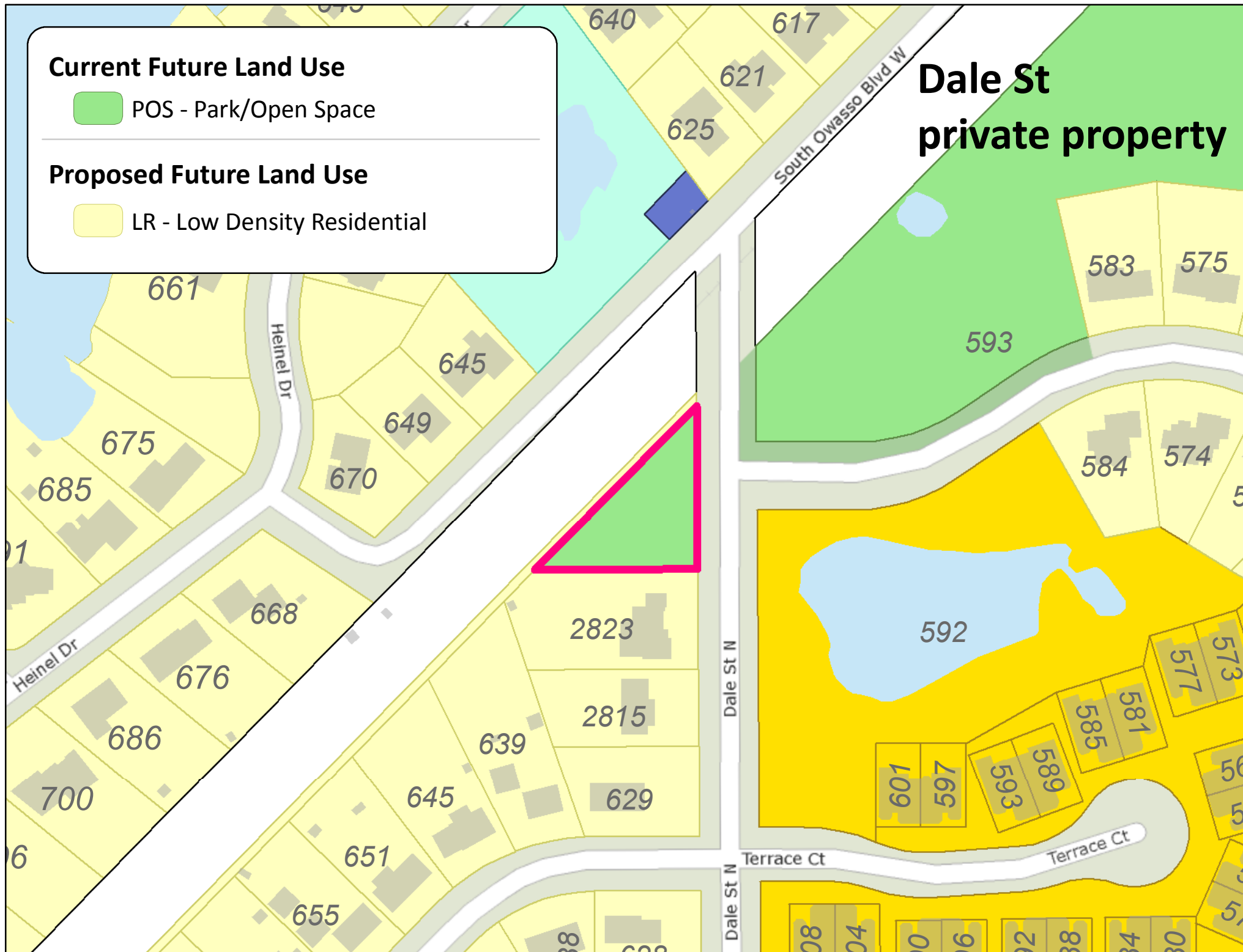
- LR - Low Density Residential

Current Future Land Use

-  POS - Park/Open Space

Proposed Future Land Use

-  LR - Low Density Residential



Current Future Land Use

 W - Water Ponding

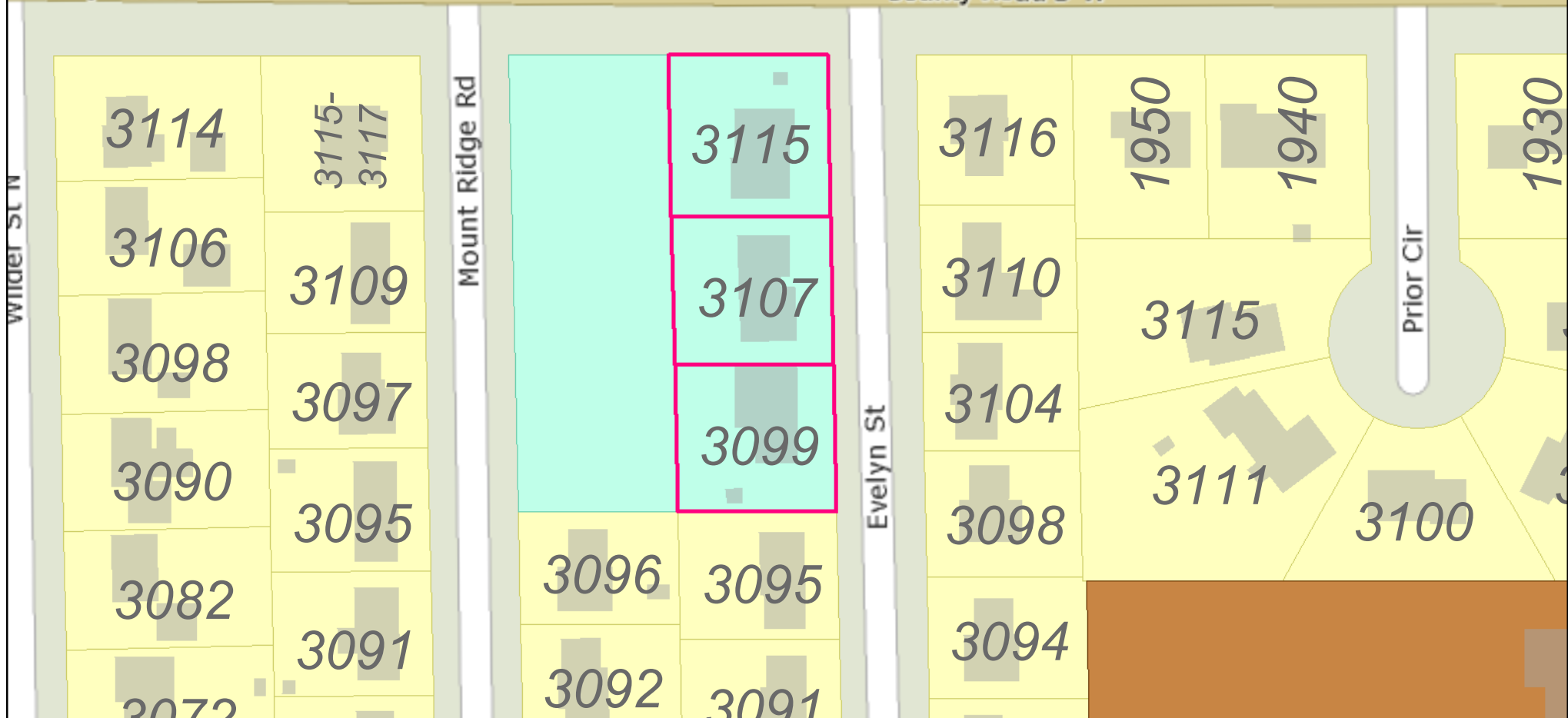
Proposed Future Land Use

 LR - Low Density Residential

3099, 3107, 3115 Evelyn St

County Road D W

County Road D W



Current Future Land Use

 POS - Park/Open Space

Proposed Future Land Use

 LR - Low Density Residential

Farrington Court private property



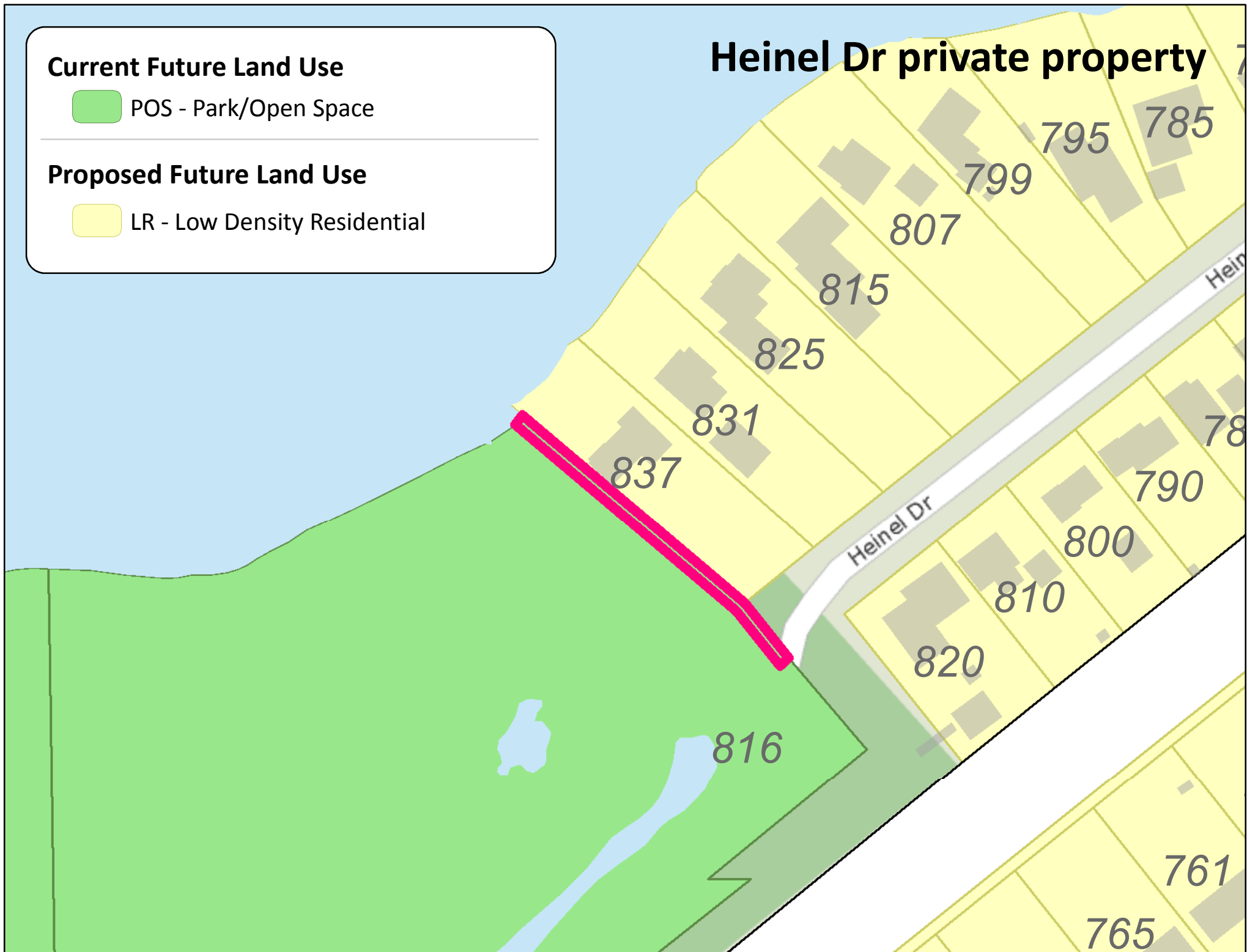
Current Future Land Use

 POS - Park/Open Space

Proposed Future Land Use

 LR - Low Density Residential

Heinel Dr private property



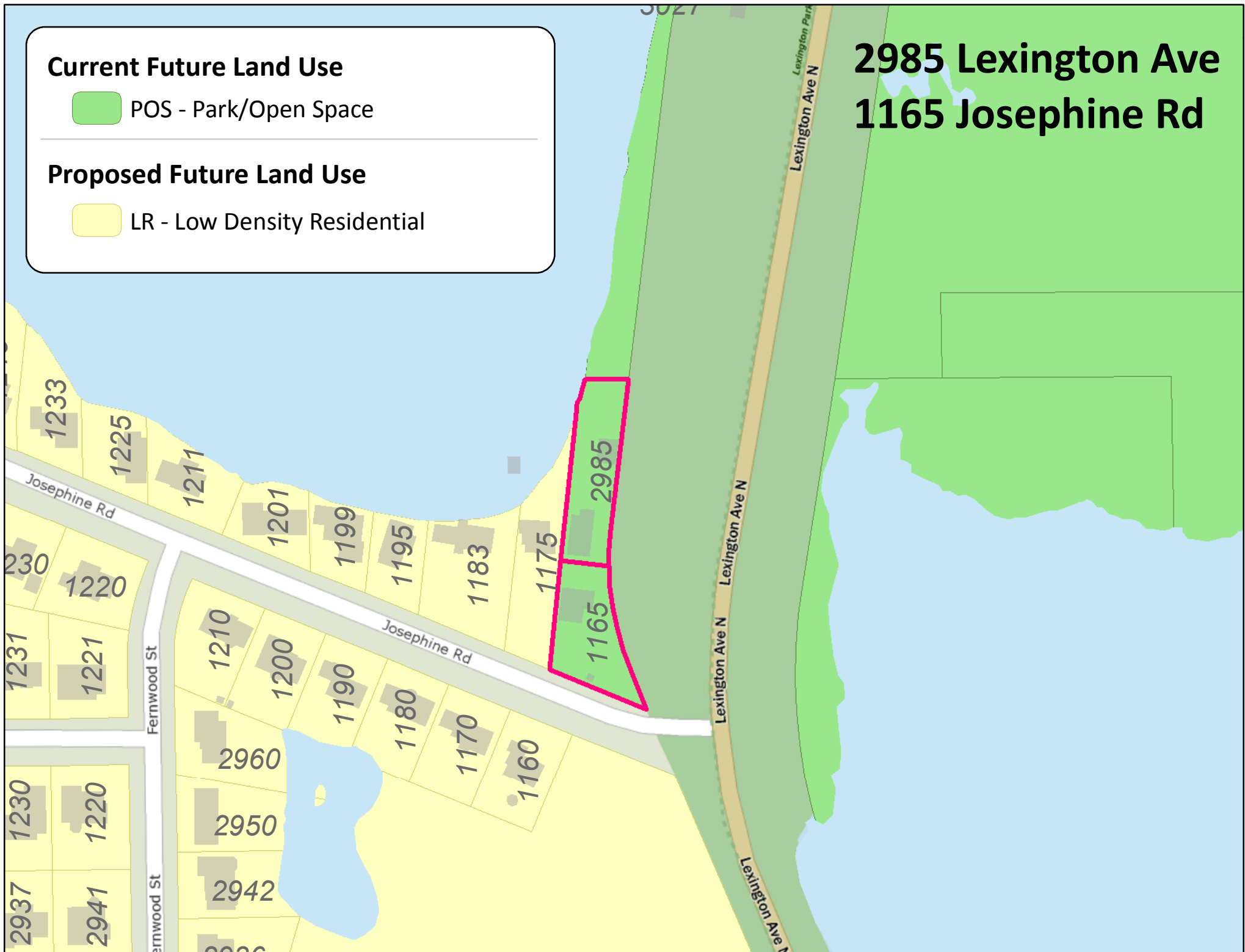
Current Future Land Use

 POS - Park/Open Space

Proposed Future Land Use

 LR - Low Density Residential

2985 Lexington Ave
1165 Josephine Rd

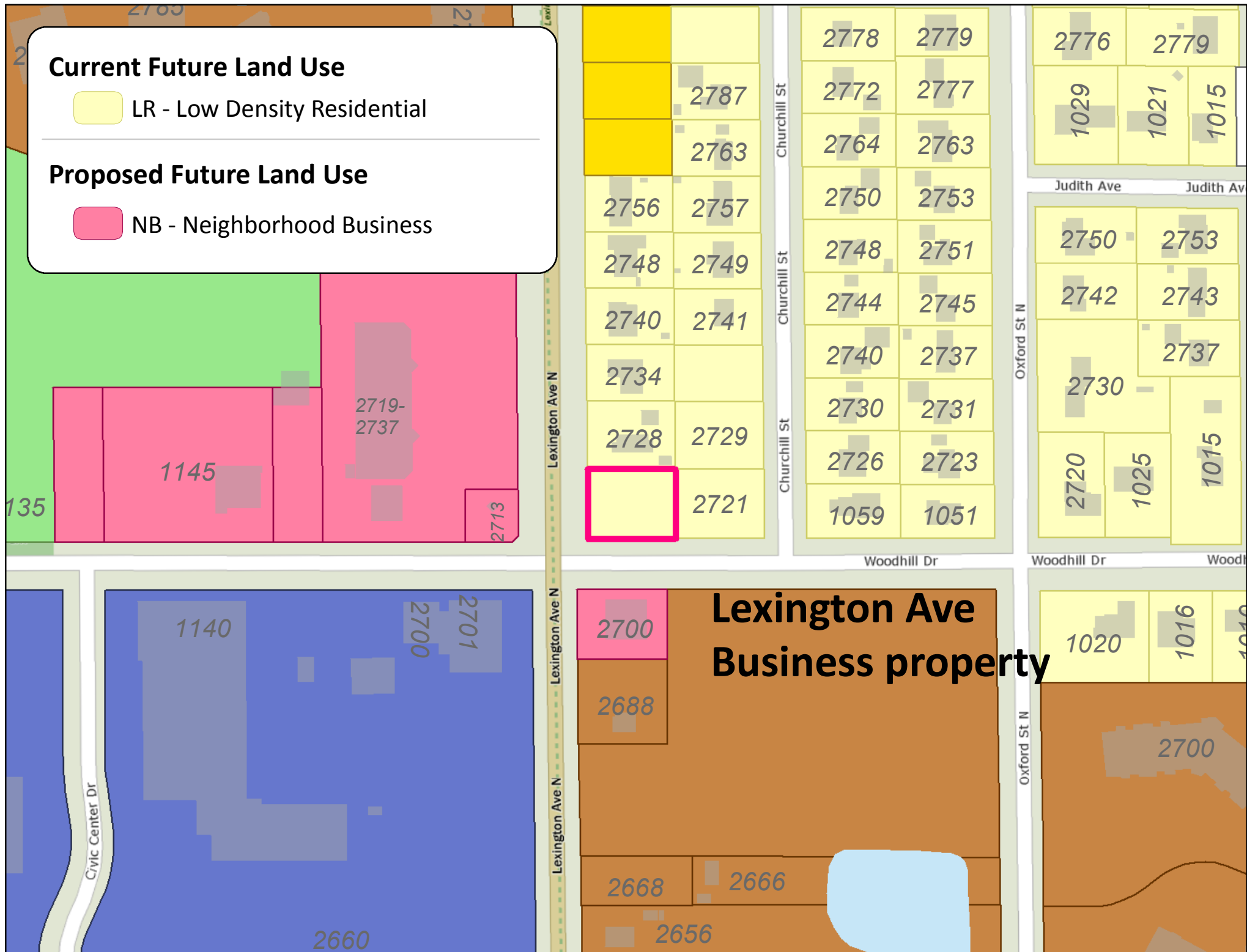


Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 NB - Neighborhood Business

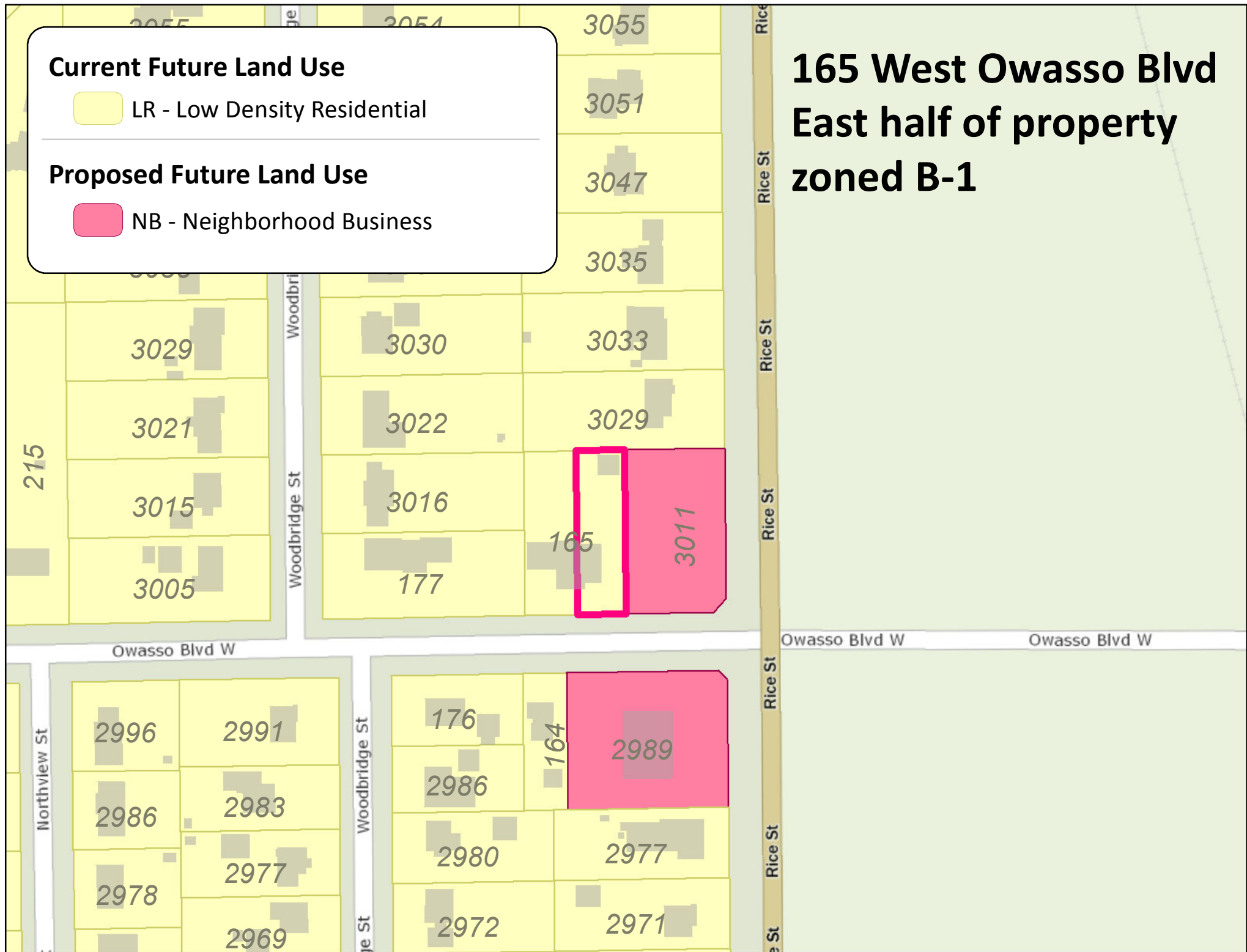


Current Future Land Use

 LR - Low Density Residential

Proposed Future Land Use

 NB - Neighborhood Business



165 West Owasso Blvd
East half of property
zoned B-1

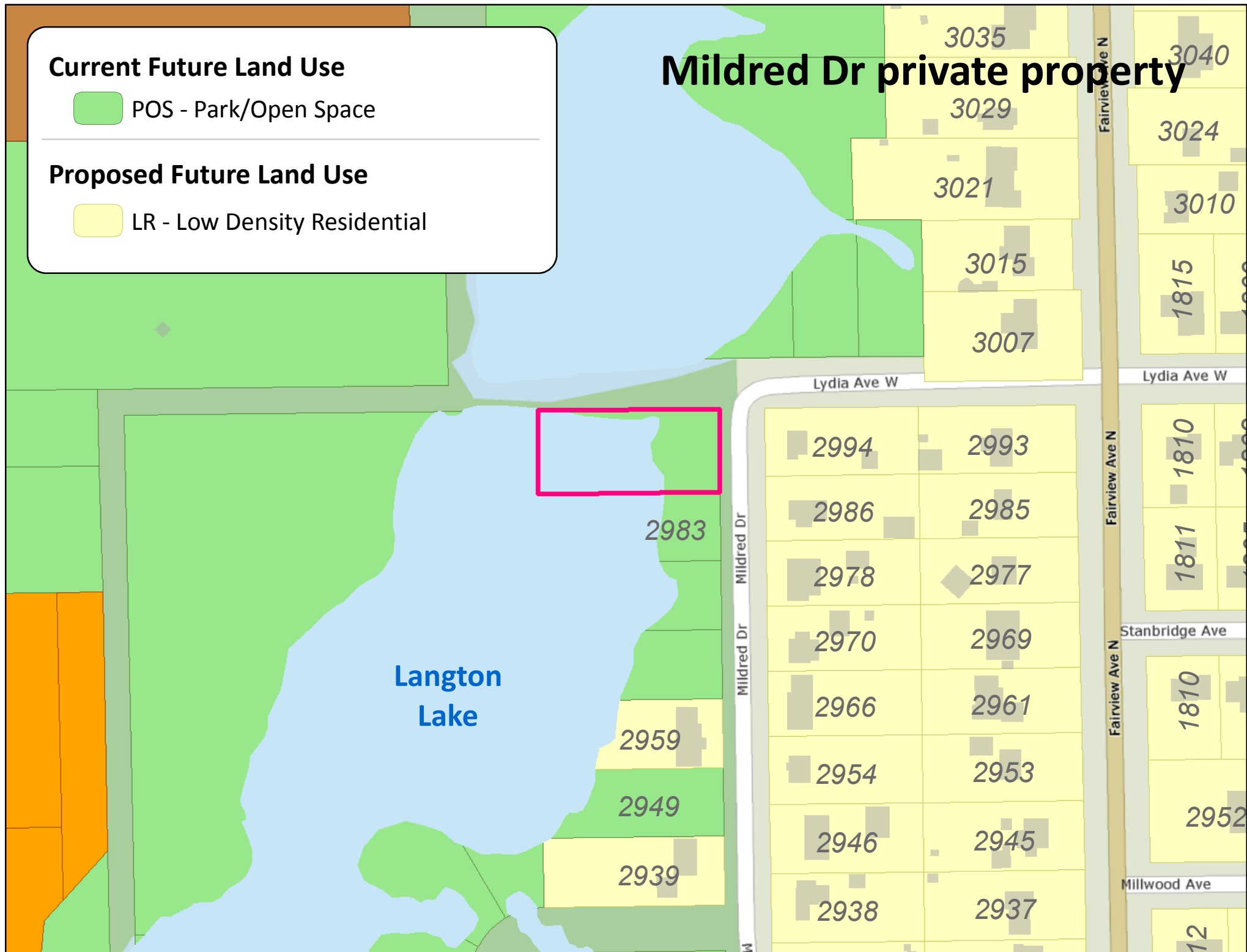
Current Future Land Use

 POS - Park/Open Space

Proposed Future Land Use

 LR - Low Density Residential

Mildred Dr private property

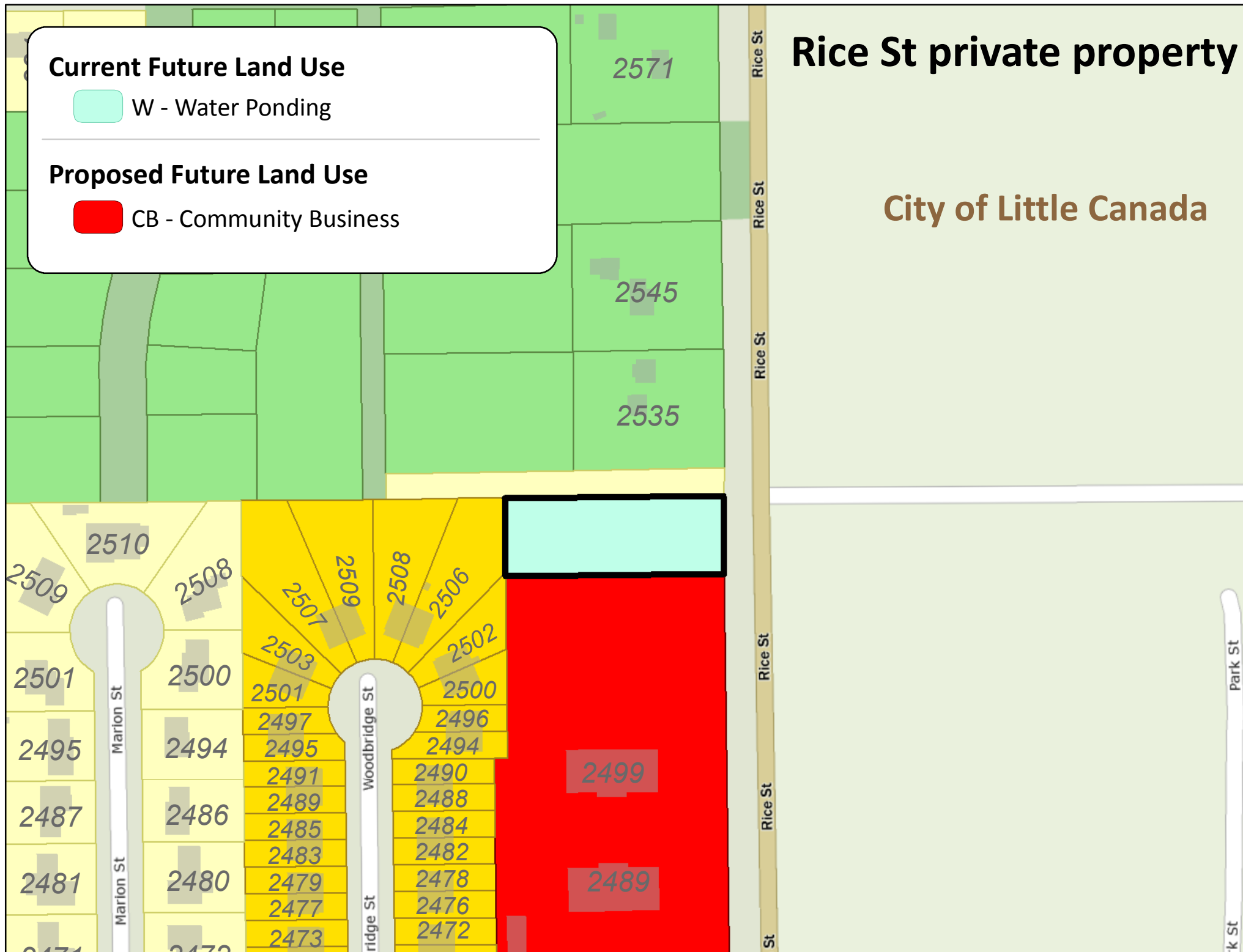


Current Future Land Use

 W - Water Ponding

Proposed Future Land Use

 CB - Community Business

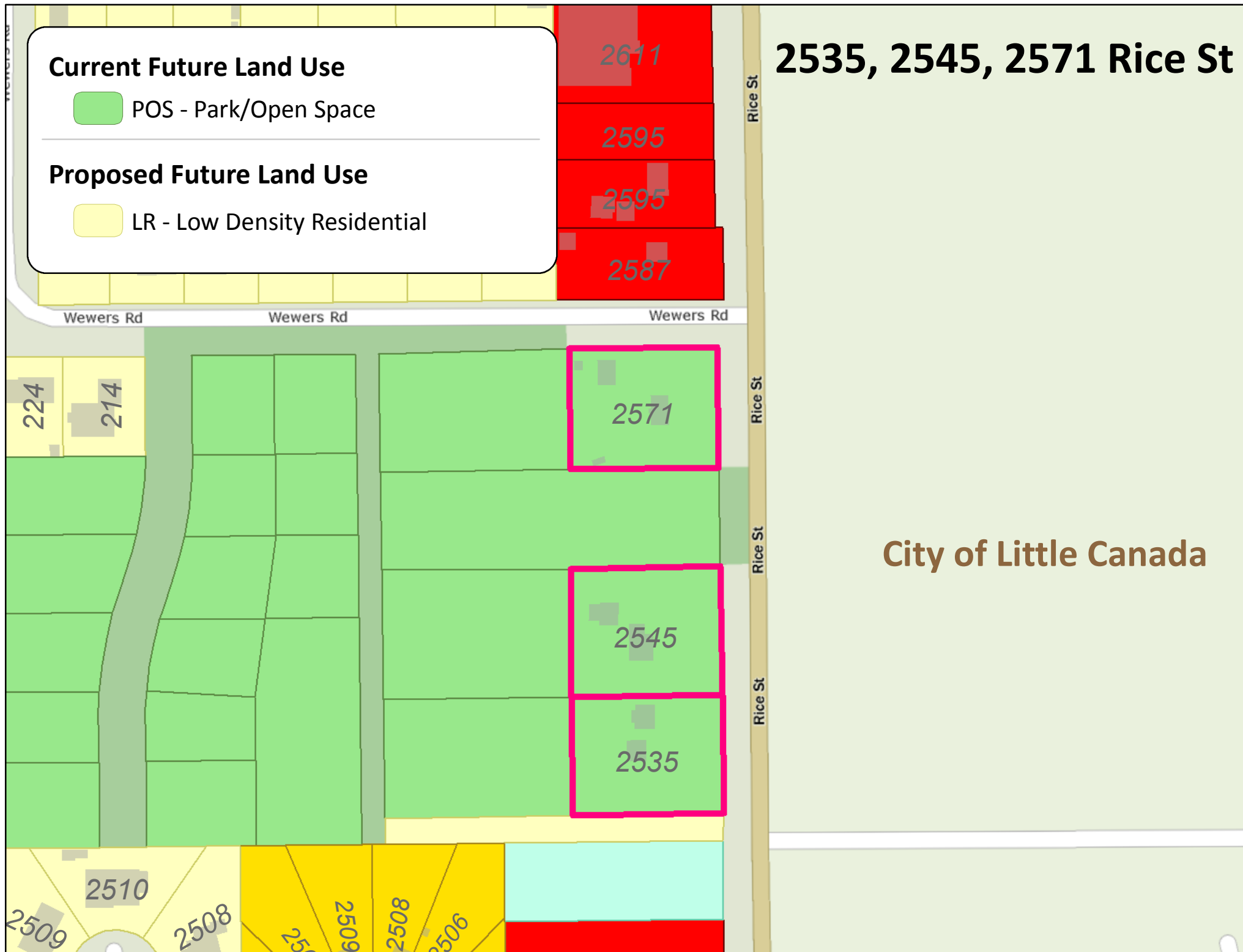


Current Future Land Use

 POS - Park/Open Space

Proposed Future Land Use

 LR - Low Density Residential



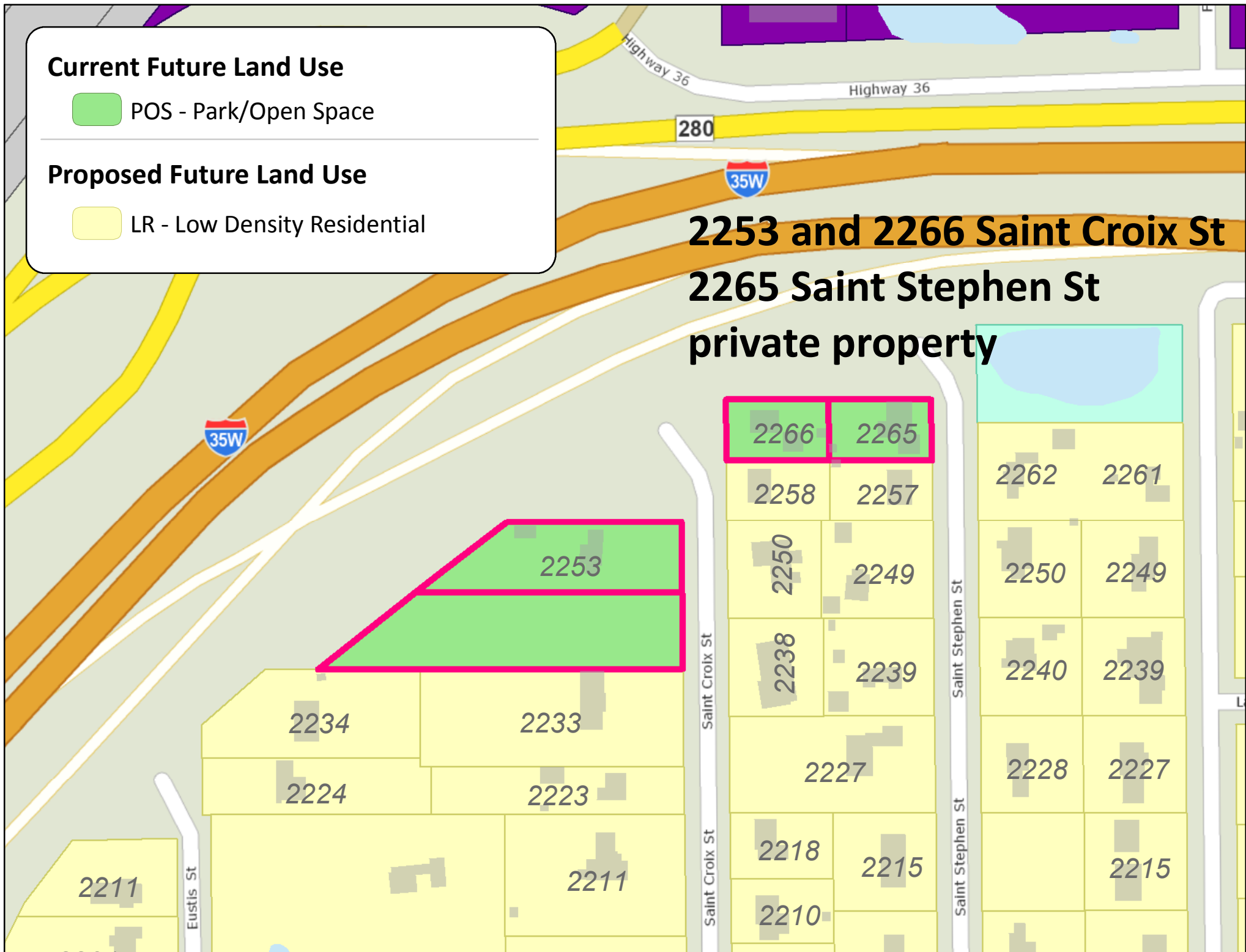
Current Future Land Use

 POS - Park/Open Space

Proposed Future Land Use

 LR - Low Density Residential

2253 and 2266 Saint Croix St
2265 Saint Stephen St
private property



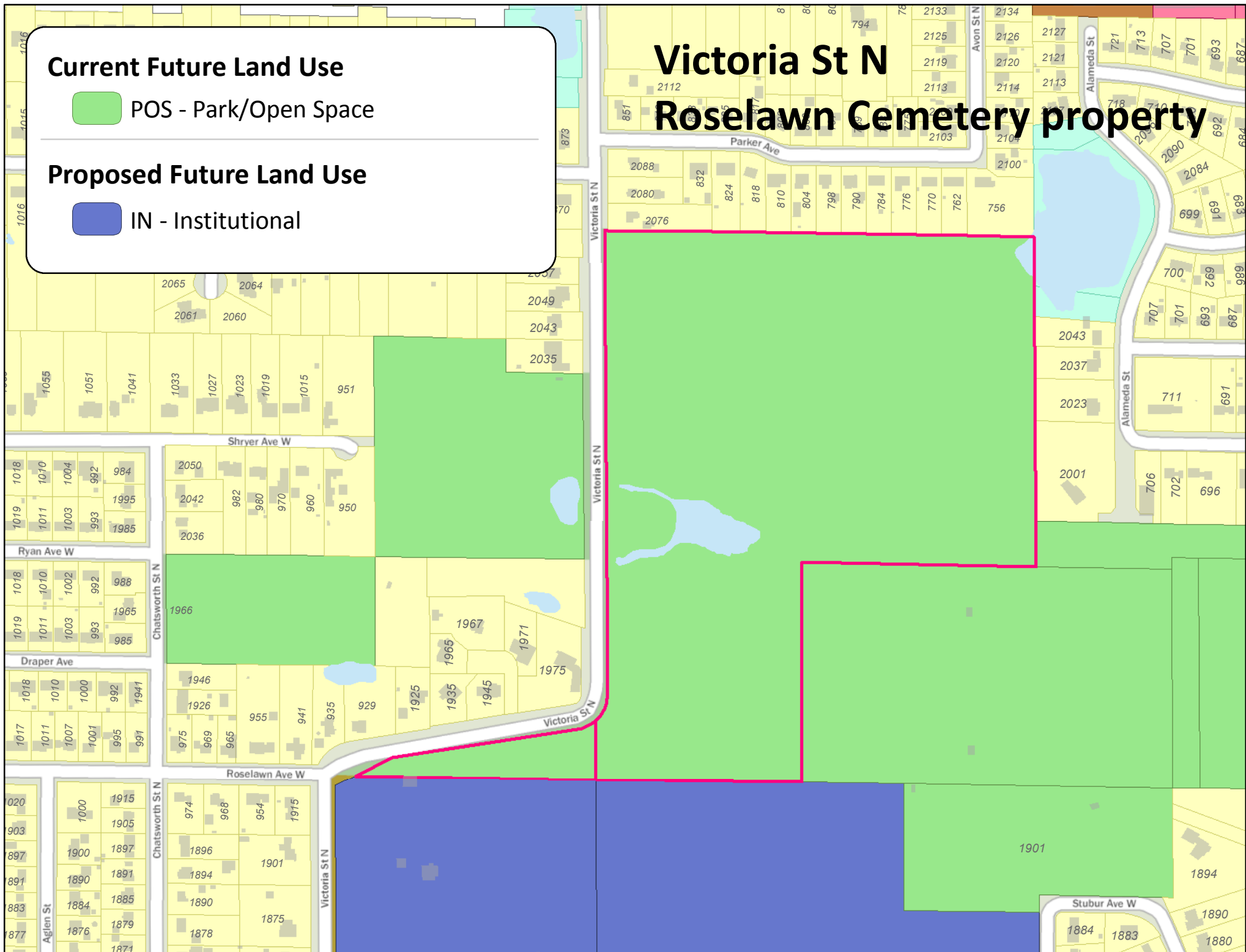
Current Future Land Use

 POS - Park/Open Space

Proposed Future Land Use

 IN - Institutional

Victoria St N Roselawn Cemetery property



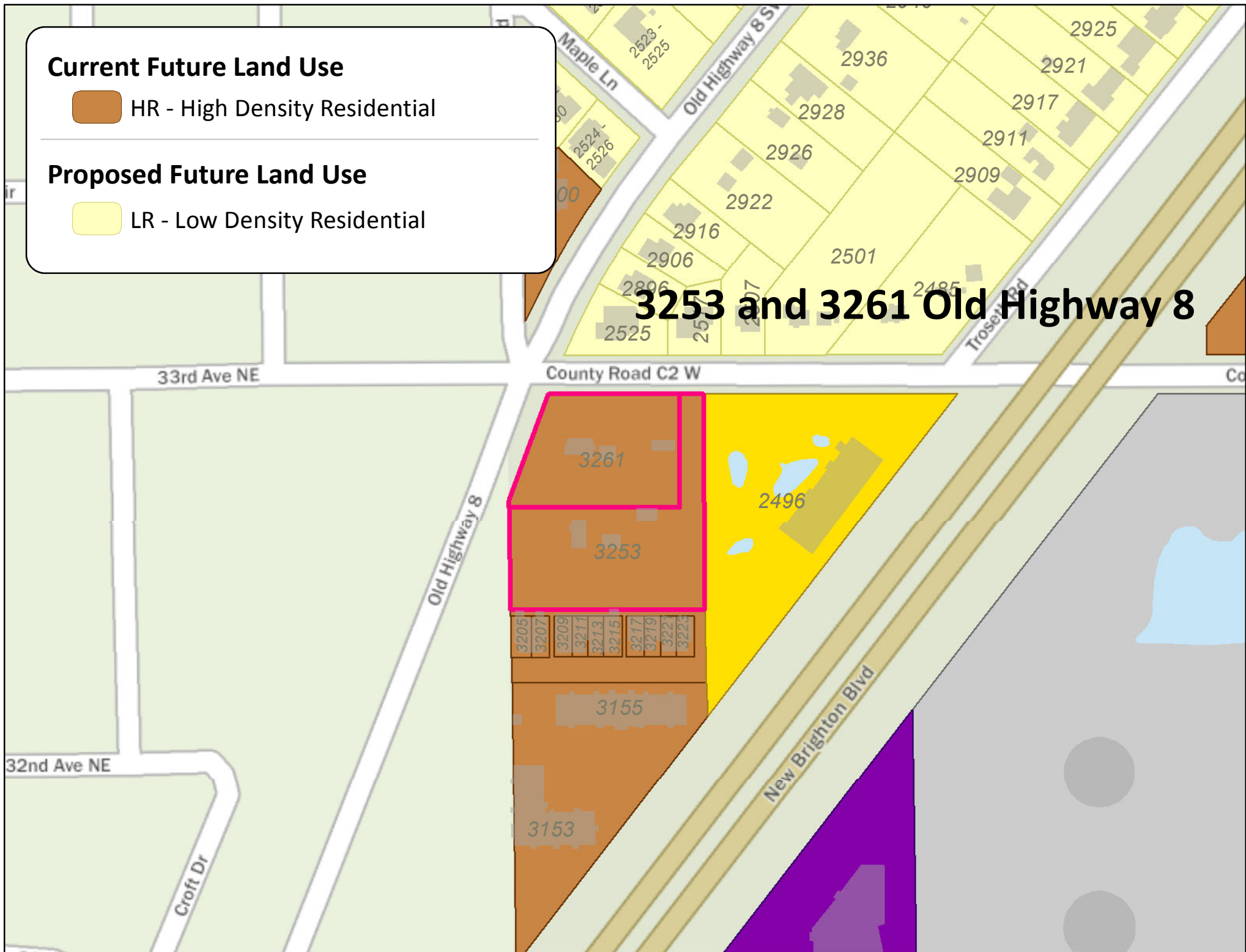
Current Future Land Use

 HR - High Density Residential

Proposed Future Land Use

 LR - Low Density Residential

3253 and 3261 Old Highway 8



OPEN HOUSE NOTES – 07/28/10

The owner of 2823 Dale St. believes that zoning that property LDR-1 will increase his taxes and so he opposes the change. The parcel is vacant and, because of the power line easement, must remain vacant, but he feels that the County will increase the taxes if the zoning "allows" development on the site.

The property owner at 556 County Road C is opposed to his property being designated High density Residential; has future plans to construct a single family home and will send letter formally opposing/requesting change.

Two property owners of Nature View Townhomes indicated concern/opposition to High Density Residential designation of large parcel in southeast corner of Dale Street and County Road C.

The pastor of Real Life Church, 2353 Chatsworth St., was uncomfortable with the idea of guiding/rezoning the church property for institutional uses when we don't have a draft of the proposed zoning district regulations, but he'll watch for the draft to become available and keep informed. Two other nearby residents were opposed to the change because they perceived the institutional designation to be something even more permissive rather than being able to establish better, more appropriate regulations; these two folks also stated that other churches are guided for residential uses, but were unwilling to specify which ones because they didn't want the comp plan/zoning maps to change.

A property owner near Western Ave./Centennial Dr. is supportive of the water ponding use if it'll remain essentially the same or facilitate an expansion of the nearby pond. If the plans included other infrastructure, he would oppose the change and would even be willing to buy the property to ensure that it remains "as is".

Property owner at 3253 Old Highway 8 opposes the recent request to change his and his neighbor's land use designation from High Density to Low Density. Property owner top provide the Planning Division a formal letter of opposition.

An owner of one of the properties along Rice St, adjacent to Acorn Park, doesn't necessarily oppose the mapping change toward single-family uses, but she wouldn't mind selling her house to the City for an addition to the park. She would prefer to guide/zone the property for commercial uses, though.

The remainder of the people the Planning Division talked with were mostly curious about exactly what was going on and thought that the changes were reasonable (even positive), and didn't have any concerns.

Resident adjacent to Har Mar Mall interested in knowing whether the land use designation was changing for the southern parcel currently zoned single family residence.

The property owner at 1129 – 1131 Roselawn Avenue sought information as to why the change and what is the difference. The site is a multi-family property that is currently guided low density, but has 2-3 units.

EXTRACT OF THE DRAFT MEETING MINUTES
ROSEVILLE PLANNING COMMISSION
AUGUST 4, 2010

b. **PROJECT FILE 0004**

Request by the Roseville Planning Division to consider corrections or amendments to the Comprehensive Land Use Plan designations of seventy-two (72) parcels throughout the City

City Planner Thomas Paschke noted previous discussions held at the June Planning Commission meeting of numerous "anomaly" properties throughout the City that had been incorrectly guided during the Comprehensive Land Use Map update process, with the list having grown from sixty-seven to seventy-two (67 to 72) properties. Mr. Paschke noted, as detailed in the Request for Planning Action dated August 4, 2010, that in order to correct zoning designations on those properties, a Comprehensive Plan – Land Use Amendment and applicable rezoning processes would need to be followed. Mr. Paschke advised that the City Council had concurred with recommendations for this process by the Planning Commission.

Mr. Paschke clarified that, at the request of the property owner at 3253 Old Highway 8, the property (3261 and 3253 Old Highway 8) would not be part of tonight's discussion and that notice had been published and mailed for consideration at the Commission's Special meeting scheduled for Wednesday, August 25, 2010. Mr. Paschke advised that it would be appropriate to receive public comment on properties not being considered for action tonight to accommodate the public in attendance; however, there would be no specific action on those.

Mr. Paschke provided the summary notes from the Open House held on July 28, 2010 to discuss the anomaly properties.

At the request of Chair Doherty, Mr. Paschke reviewed the history of some of the properties, carrying over incorrect land use designations and/or zoning from as far back as 1979 and incorrectly identified on past Comprehensive Plan maps; of consisting of split zone properties that may be separated by a public right-of-way where the property identification system only identifies one of those properties for a number and zoning designation, or some sliver properties that are inadvertently overlooked.

Mr. Paschke advised that the Planning, Public Works/Engineering, and Park and Recreation Departments met cooperatively to review all City property for their property identification and intended land use and zoning designation; as well as incorrect privately owned lots/parcels to establish their appropriate land use and zoning designations, resulting in the multiple maps of those properties under discussion and consideration at tonight's meeting.

Mr. Paschke noted a change from the staff report for two (2) parcels on South McCarron's identified as right-of-way, and after initial staff discussion, a determination by staff to recommend that their designation change from right-of-way to Park/Open Space. However, since that time, Mr. Paschke advised that staff had heard from a number of concerned residents and neighbors currently using the undeveloped right-of-way as an alley to access their property. Mr. Paschke advised that, after further discussion, staff was recommending that it remain designated as right-of-way, not Park/Open Space.

Chair Doherty asked that Mr. Paschke go through each proposed amendment to allow the meeting minutes to reflect discussion specific to that parcel; and inviting public comment for individual items.

Unidentified Audience member

The speaker had a general question for 2201 Lexington Avenue, designated LDR, and for all properties in general and the rationale for recommended changes, whether requested by property owners in order to change their use.

Mr. Paschke reiterated that there were no proposals prompting the proposed amendments to the Comprehensive Land Use Map, and that they were corrections to parcels that continued to be carried over from the 1970's and/or 1980's that had not been caught until a more thorough review during the Rezoning process following the State-mandated update of the City's Comprehensive Plan and rezoning consistent with the guidance of that plan.

1779 Rose Place – City-owned property

Mr. Paschke advised that the structure on this parcel had been demolished; and it was recommended for designation from LR (Low Density Residential) to W (Water Ponding).

Dale Street, St. Paul Water Board Property (Parcels 1883 and 1894)

Mr. Paschke noted the location of these parcels and the large water line running under them; and recommended designation from LR to IN (Institutional)

Arthur Street Right-of-Way

Mr. Paschke noted that this was City-owned property and should be designated as Right-of-Way (ROW) rather than CMU (Community Mixed Use),

County Road C-2 West at Fairview Avenue (?) - Storm Pond – City-owned Parcel

Mr. Paschke noted that staff recommended that this property, currently zoned CMU, be designated W (Water Ponding).

Cleveland Avenue – City-owned property

Mr. Paschke noted that two (2) parcels in the Twin Lakes Redevelopment Area were currently designated CMU and needed to be designated as POS (Park/Open Space). Mr. Paschke advised that staff was still researching the acquisition and intent for the land, and it may eventually change to ROW designation. However, at this time, it needed to be identified as POS, and was adjacent to land currently identified as POS.

Laurie Road – City-owned property

Mr. Paschke advised that the Public Works/Engineering Department was not aware of any existing infrastructure on this strip of land and had recommended designating the property as ROW rather than the current LDR designation. Mr. Paschke noted that, if adjacent property owners petitioned it, the City could vacate their interest in the right-of-way while retaining an easement if there were any underground utilities.

Victoria Street – City-owned property

Staff recommended land use designation for this approximate five foot (5') strip of land change from LR to POS.

2668 Lexington Avenue – City-owned property

Staff recommended guiding this property as ROW rather than the current HR (High Density Residential) as recommended by the City's Public Works/Engineering and Parks and Recreation Departments.

Discussion included the home on the adjacent parcel at 2666 and access through a private drive running through the 2668 parcel.

State of MN – Right-of-Way

Mr. Paschke advised that this property had been acquired by MnDOT for light rail transit purposes; and therefore needed to be identified as ROW rather than POS.

Long Lake Road – City-owned properties (2 parcels)

Staff recommended guiding these parcels as ROW rather than the current BP (Business Park), consistent with Long Lake Road rights-of-way adjacent to the Water Pond.

Bonestroo Site – St. Croix Street – City-owned property (lift station location)

Staff recommended IN (Institutional) as opposed to current BP (Business Park) designation.

Snelling Avenue – City-owned property

Staff recommended land use designation as ROW rather than current O (Office) use.

Snelling Curve – City-owned property

Staff recommended land use designation as ROW rather than current designation of MR (Medium Density Residential).

???

South McCarrons Boulevard – City-owned property

A revised map was provided as a bench handout, **attached hereto and made a part thereof**, with recommended land use designation from LR (Low Density Residential) to ROW.

South McCarrons Boulevard – City-owned property

Staff recommended land use designation as POS rather than LR (Low Density Residential)

Centennial Drive – City-owned property

Staff recommended designation as W (Water Ponding) rather than the current LR (Low Density Residential).

Mr. Lloyd noted his phone conversation from a resident with the City's Public Works Department, regarding the proposed designation; with no further concerns following staff's response clarifying the intent of the proposed action.

West Owasso Blvd – City-owned property

Staff recommended designation as POS rather than the current LR.

Brooks Avenue – City-owned property

Staff recommended designation as POS rather than current LR.

Discussion included why this parcel had not been sold by the City for LDR land use; with staff responding that it was not a policy of the City to sell city-owned parcels; proximity of a pathway and bicycle path cutting through the parcel and sharing of its address with the adjacent park, and often considered as part of the park already, but just not zoned appropriately at this time.

William Street – City-owned property

Staff recommended designation as ROW rather than the current LR.

1 Discussion included the small size of the parcel; possible future designation for
2 commercial use, but a ROW designation allowing adjacent property owners to petition
3 vacation; following staff's review of how and why the parcel was acquired by the City.

4
5 1129 – 1131 Roselawn Avenue – Apartment

6 Staff noted that, due to size of the parcel and number of current multi-tenant units,
7 designation needed to be corrected from LR to MR.
8

9 1330 County Road B - Business Property

10 Staff noted that the existing use, as an eye or dental clinic, suggested recommended
11 land use designation for NB (Neighborhood Business) rather than the current
12 designation of LR (Low Density Residential).
13

14 161 Elmer Street – Zoned B-1 in 1980's

15 Mr. Paschke noted that this was a split property, with one Property Identification (PID)
16 number; and needed to be designated as CB (Community Business) rather than the
17 current MR (Medium Density Residential). Mr. Paschke advised that the property had
18 been zoned as such since the 1980's, but that the PID search only caught one of the
19 parcels and respective zoning designations.
20

21 1935 Cleveland Avenue – private property

22 Mr. Paschke advised that the current designation of W (Water Ponding) needed to be
23 corrected, since the parcel had a house already built on it, and should be designated
24 as LR.
25

26 2030 County Road D – Half of Property zoned business in 1970's to allow salon

27 Mr. Paschke advised that the current designation of LR (Low Density Residential)
28 should be corrected to NB (Neighborhood Business) for both the north and south
29 portions to be consistent with the use of the site, since this was one lot.
30

31 **Unidentified Current Property Owner**

32 The property owner advised that there was originally a residence on both parcels, but
33 that when he'd developed the salon on the corner, it had been rezoned with a setback
34 variance to allow the house and shop on the lot line, and that it was still designated as
35 two (2) lots, but that he had left it as one address to avoid confusion.
36

37 Mr. Paschke advised that it hadn't been detected since the 2 lots were listed under
38 one PID and combined for tax purposes.
39

40 1085 Roma Avenue – Owned by adjacent business

41 Staff recommended designation from LR to NB for consistency with the land use as a
42 business (a multi-tenant office building) since the 1990's.
43

44 2088 Fry Street – 3 unit apartment

45 Staff recommended land use designation from the current LR to MR, consistent with
46 its use.
47

48 2211 Hamline Avenue

49 Staff recommended land use designation from LR to O (Office).
50

51 2353 Chatsworth Street – Real Life Church

52 Mr. Paschke advised that, unfortunately when the Comprehensive Plan Amendment
53 process was done, this parcel was not included in that zoning change for all churches
54 and other institutional uses to go to IN (Institutional) designation, and was being
55 corrected at this time.
56

Richard A. Fair – 39 Mallard Road – North Oaks

Mr. Fair advised that he had received notice of the proposed designation change; however, he was unsure of the process when proposed regulations for IN zoning are still in their draft form; and expressed his preference to review the designation and any ramifications on the church for that property.

Mr. Paschke advised that, once the regulations are completed in their draft form, they would come before the Planning Commission for review and public comment, possibly in September. Mr. Paschke suggested that the speaker refer to the City's website or provide staff with a name and e-mail address to receive future notice.

Mr. Fair advised that the Church also owns the property across the street at 2315 Lowell Avenue, currently having a single-family dwelling on it, and noted rezoning as HD and sought additional information on ramifications of that designation; noting that the home had originally been a parsonage and remained part of the church property.

Mr. Paschke, while not having the property's history available at this time, noted that the 2315 parcel had been guided as HDR for some time and that there was no recommendation to change that designation at this time.

Mr. Lloyd clarified that, since 1979, the parcel at 2315 had been identified as LR land use, but that the zoning had never been corrected to be consistent with that designation.

2758 and 2759 Virginia Avenue

Staff noted that the parcels may have been identified at one time by the City for storm ponds; however, noted that since 1979, the properties had remained inappropriately guided, since homes had been constructed on both parcels; and the land use designation needed to be corrected from POS to LR.

2905 Arthur Place

Staff noted that this parcel also may have been identified at one time by the City for a storm pond; however, since 1979, had remained inappropriately guided, since a home had been constructed on the parcel; and the land use designation needed to be corrected from POS to LR.

556 County Road C

As previously noted, this parcel is scheduled to be considered at a later date due to separate Planning Commission action at their last meeting and public hearing notice requirements.

An unidentified member of the audience requested additional information on this parcel and the reason for the delay and proposed designation from POS to LR; with Member Wozniak reiterating previous discussions tonight by the property owner.

2201 Lexington Avenue – Small business

Staff recommended designation from the current LR to NB.

592 Owasso Hills Drive – City-owned pond

Staff recommended correction of the current designation from MR (Medium Density Residential) to W (Water Ponding).

706 Shryer Avenue – City-owned utility building

Mr. Paschke noted the location of a City lift station on this parcel, and corrected designation from LR to IN.

1 888 County Road B and 2111 Victoria Street (home)

2 Staff recommended correcting these two (2) parcels from the current designation of W
3 to LR, as both were privately owned.

4
5 B-Dale Club

6 Staff recommended correction of current designation of LR to NB.

7
8 Member Cook questioned the adjacent portion remaining as is.

9
10 Mr. Paschke advised that there was an adjacent parcel not owned by the B-Dale Club
11 that may actually be owned by the City; and offered to double-check that back portion
12 shown as LDR to determine ownership. If it was determined that it was owned by the
13 B-Dale Club, Mr. Paschke advised that it would need to be included in the proposed
14 amendment; but that it had not been identified as an anomaly property having an
15 inappropriate designation at this time.

16
17 Dale Street – Private property – 2245 and 2237

18 Staff recommended corrected designation from IN to LR.

19
20 Dale Street – Private property – triangle south of the railroad tracks on S Owasso
21 Boulevard

22 Staff recommended correction of the current designation from POS to LR.

23
24 **Mark McKane, 2823 Dale Street**

25 Mr. McKane requested rationale for changing this designation, addressing easement
26 rights of NSP Power and their comments that the lots were unbuildable.

27
28 Mr. Paschke advised that the City had no plan or purpose for the parcel, making the
29 designation as POS inappropriate and would continue certain restrictions inconsistent
30 with private property. Mr. Paschke noted that the City did not have public right-of-way
31 on the parcel, did not own it, and that it would be inappropriate to guide it as POS,
32 with surrounding properties designated as LR.

33
34 Mr. McKane noted similarities for the 593 City-owned parcel adjacent to LR.

35
36 Mr. Paschke noted that the 593 parcel is part of the park system and was guided
37 accordingly.

38
39 **Chad Adams, 556 West County Road C**

40 Mr. Adams advised that when Owasso Hills was developed, there was much
41 discussion about preserving parks and wetlands; and questioned if the property
42 shouldn't be retained for future park land.

43
44 Mr. Paschke clarified that the City had no intent to acquire the parcel for POS; but
45 didn't know if a private property owner could acquire it.

46
47 3099, 3107, 3115 Evelyn Street

48 Mr. Paschke opined that this property, while privately owned, may have at one time
49 been considered by the City for storm water ponding; but that the City no longer had
50 any interest in acquiring it for such a purpose.

51
52 **Gerald Ode, 3074 Evelyn Street**

53 Mr. Ode advised that he had owned the house at this address for over thirty (30)
54 years; and sought the reason why the developer had been allowed to build homes on
55 the lots designated for water ponding when he, as a homeowner, had been assured
56 that there would be no homes built there.

1
2 Mr. Paschke suggested that the homes may have pre-dated the land use designation.
3

4 Mr. Ode advised his home had been built in 1977 and at that time, he had been
5 advised by the builder that the lots in question were designated for a pond and had
6 been given the impression that the existing trees would remain on the west side. Mr.
7 Ode expressed confusion in how he could have been misrepresented by the
8 developer without ramifications brought forth by the City.
9

10 Discussion included land use designations; research needed to determine how the
11 area was designated for land use in 1977; and current Building Permit practices and
12 processes.
13

14 Farrington Court – Private property

15 Staff recommended designation of this parcel from POS to LR.
16

17 Heinel Drive – Private property

18 Mr. Paschke advised that this strip of property provides access to Lake Owasso; and
19 that the current designation of POS should be corrected to LR to be consistent with
20 adjacent parcels.
21

22 **Betty Wolfangle, 837 Heinel Drive**

23 Ms. Wolfangle advised that 837 Heinel Drive was their private property and that the
24 strip of land was alongside their house, and dropped significantly to a creek or ditch
25 with water entering from Bennett and through Lake Owasso; with the other side of the
26 strip and creek was Central Park wetland area. Ms. Wolfangle, speaking for residents
27 along Heinel Drive, suggested that it seemed appropriate that this strip of land
28 become private property or a part of Central Park.
29

30 Mr. Paschke advised that the parcel was privately owned and therefore should not be
31 guided as POS; and assured Ms. Wolfangle that there were no plans by the City to
32 develop this private property in any way; and reiterated that the proposed changes
33 were simply to correct past inaccuracies.
34

35 2986 Lexington Avenue and 1165 Josephine Road

36 Mr. Paschke advised that, for a number of years, these parcels had been designated
37 POS, and since they both have single-family homes built on them, they should be
38 designated LR.
39

40 Lexington Avenue Business Property (at Woodhill and Lexington)

41 Mr. Paschke noted that these parcels, owned by the George Reiling Estate, had
42 always been zoned Limited Business District, and should be designated under new
43 land use designations as NB (Neighborhood Business) not the current LR (Low
44 Density Residential).
45

46 Mildred Drive – Private property

47 Mr. Paschke noted that this non-addressed property was privately owned and should
48 be designated LR rather than the current POS, whether developable or not.
49

50 Rice Street private property

51 Staff recommended that the current designation as W be corrected to CB (Community
52 Business).
53

54 Discussion included clarifying that this parcel is adjacent to an existing cell tower.
55

56 2535, 2545, 2571 Rice Street

1 Mr. Paschke noted that these parcels had single-family homes built on them for many
2 years, and should be designated as LR rather than the current designation of POS.

3
4 **2253 and 2266 St. Croix Street **and** 2265 St. Stephen Street –Private properties

5 Staff recommended land use designation as LR from the current designation of POS,
6 all privately owned and having homes on them.

7
8 Victoria Street N – Roselawn Cemetery Property

9 Mr. Paschke noted that current designation shows this area adjacent to Roselawn
10 Cemetery property as POS; however, they should be designated as IN (Institutional)
11 use similar to the remainder of Roselawn Cemetery.

12
13 *3253 and 3261 Old Highway 8

14 *As Mr. Paschke previously noted, these parcels are scheduled to be considered at
15 the Special Planning Commission meeting scheduled on Wednesday, August 25,
16 2010.

17
18 **Rita Mix, 3207 Old Highway 8**

19 Ms. Mix, on behalf of neighbors adjacent to these parcels, sought clarification on
20 staff's recommendation for this property for higher density use.

21
22 Mr. Paschke noted that the charge to staff from the City Council was to hold a public
23 hearing on guiding the property for lower density; and their consideration for the
24 parcels be guided as LR (Low Density Residential). Mr. Paschke advised that he was
25 unsure at this point whether staff or the Planning Commission was supportive of that
26 recommendation; but that the published and mailed public hearing notice had
27 indicated designation changing from HR (High Density Residential) to LR. Mr.
28 Paschke noted that the current property owner was opposed to that proposed
29 designation.

30
31 Ms. Mix advised that the neighborhood supported a LR designation; and sought
32 information as to whether neighbors would be noticed and/or heard.

33
34 Mr. Paschke advised that notices had already been mailed out; however, he asked
35 that Ms. Mix provide staff with an e-mail address where she could be contacted, and
36 staff would provide an e-mail notice to her as well as a copy of the staff report in
37 advance for distribution to the neighbors for their information and so they could be
38 heard at the meeting on August 25.

39
40 Bench Handout – 165 W Owasso Blvd – east half of property – zoned B-1

41 Mr. Paschke provided as a bench handout, ***attached hereto and made a part***
42 ***thereof***, an additional property map for 165 ~~West~~ ***[South]*** Owasso Boulevard for
43 recommended land use designation from LR to NB, inadvertently omitted from agenda
44 packet materials.

45
46 **Additional Public Comment**

47 ****Mean (SP?) Dershin, 2249 St. Stephen Street**

48 Mr. Dershin asked the ramifications for his property in the proposed designation for
49 the above-referenced properties on Saint Croix Street and Saint Stephen Street
50 changing from POS to LR.

51
52 Mr. Paschke advised that it would allow a single-family home to be constructed on the
53 property, if not already existing, or provide future land use guidance.

54
55 Mr. Dershin questioned the rationale for turning Water Pond designated land use into
56 LR and whether that was an environmentally sound practice.

1
2 Mr. Paschke reiterated that this was a housekeeping matter; noting that a number of
3 the lot corrections and lots designated for Water ponding already had single-family
4 homes developed on them. Mr. Paschke further advised that those proposed to
5 change from POS to LR were privately-owned properties that should be zoned LR or
6 parcels with homes already on them, making POS inappropriate as a designation. Mr.
7 Paschke noted that many of these inconsistencies or errors continued to be carried
8 forward from the 1970's, or that at one time the City may have had a desire to utilize
9 them for POS or to acquire them for such, often for storm water management
10 purposes, a trail or a park. However, since there were not plans and/or funds to do so
11 now, Mr. Paschke opined that it was inappropriate to guide them as POS when such
12 zoning designation was inconsistent with their actual or potential use.

13
14 Mr. Dershin questioned whether there could be a private park acquired by residents
15 without it being City-owned property.

16
17 Mr. Paschke advised that it would be inappropriate for the City's Comprehensive Plan
18 and Map to designate private properties as POS since the City didn't control or
19 manage them.

20
21 Member Gottfried opined that ownership of the property was a vital consideration and
22 guided this discussion and desire for consistency and continuity for this housekeeping
23 practice; and commended staff for their thorough review of parcels throughout the City
24 and for bringing them to the forefront for discussion and correction as appropriate.
25 Member Gottfried further opined that if a private property owner chose to give a parcel
26 to the City that was another discussion, at which time the City could revisit rezoning a
27 parcel to POS.

28
29 Mr. Paschke noted that for many years, starting in the 1970's or before, zoning was
30 the controlling document and the Comprehensive Plan was not the higher authority or
31 guiding plan. However, Mr. Paschke advised that, over the last decade, the
32 Comprehensive Plan had become the ruling and controlling document, and zoning
33 needed to be consistent with that Plan. Mr. Paschke advised that, unfortunately, the
34 City had not historically changed the Zoning Map to remain consistent, thus creating
35 many of the anomaly properties. Mr. Paschke noted that, unfortunately as well, some
36 of the properties were missed during the Comprehensive Plan Update process; and
37 this was the appropriate opportunity to address each of the parcels.

38
39 Chair Doherty observed, to the City's credit, that the easiest thing to do would be to
40 continue ignoring the anomalies; however, staff had reviewed each parcel in the City
41 to make sure they were consistent, and also expressed appreciation to staff for
42 making this effort after thirty (30) years.

43
44 **Carol Mordorskel, 2241 Dellwood Avenue (property adjacent to Roseville**
45 **Ramsey County Library)**

46 Ms. Mordorskel sought clarification on rezoned properties across the street from the
47 library on Hamline Street and her concerns with rezoning of the vacant area north of
48 the North library parking lot and how the Overlay District was impacted when
49 residential properties abut parcels designated for another use, and whether the City's
50 zoning requirements were applicable to the Library's use. Ms. Mordorskel expressed
51 concern with the Library use and protecting the use of her property to keep it
52 consistent with the way it was before developed for the library expansion.

53
54 Mr. Paschke advised that Ms. Mordorskel's property was guided LR for single-family
55 use; and that the library property has been and would continue to be guided for IN or
56 Institutional use and zoned accordingly. Mr. Paschke advised that the library currently

1 operated under a Planned Unit Development (PUD) Agreement, which would not go
2 away once the property was rezoned, and that which ever regulations were the
3 strictest, would be applicable to and recorded against the property.
4

5 Ms. Mordorskel expressed concern with the library's parking and lighting practices,
6 and whether they were applicable with City requirements and City Code, in additional
7 to providing fencing and/or screening of the parking area. Ms. Mordorskel opined that
8 she likened the library to a ball park in her backyard, with the lights remaining on all
9 night, when it used to be a wooded area.
10

11 Mr. Paschke asked that Ms. Mordorskel notify the City's Community Development
12 Director Patrick Trudgeon at 792-7071 as soon as possible, as a meeting of residents
13 and library representatives was scheduled the following evening (August 5) to discuss
14 ongoing concerns, which would be an appropriate venue for Ms. Mordorskel's
15 concerns as well.
16

17 Chair Doherty closed the Public Hearing at approximately 7:17 p.m.
18

19 Member Gottfried again commended staff for their considerations in keeping parcels
20 in continuity with the Comprehensive Plan and consistent with neighborhoods; and
21 spoke in support of their recommendations as presented.
22

23 Member Wozniak concurred with Member Gottfried; and expressed his appreciation to
24 staff for their thorough and clarifying recommendations.
25

26 Chair Doherty commended Mr. Paschke on his explanation for the benefit of the
27 public of the difference between a comprehensive plan and zoning codes; and how
28 the comprehensive plan now controls land use and the need for zoning codes to be
29 consistent with that plan, not the other way around. Chair Doherty reiterated that
30 these proposed actions were not something initiated by the City, but a requirement of
31 the Metropolitan Council.
32

33 Mr. Paschke noted that a number of inconsistencies had been identified in previous
34 individual rezoning applications, as well as during the Comprehensive Plan Update
35 process, and that those inaccuracies or inconsistencies should have been
36 incorporated into the Comprehensive Plan Update process at that time; and that they
37 now also needed to be zoned appropriately, with the Land Use Map, Comprehensive
38 Plan Map, and Zoning Code each being consistent.
39

40 Member Gottfried noted that the Comprehensive Plan Update process was initiated
41 every decade, and was a continually changing process and document. Mr. Gottfried
42 opined that it was important for the public to understand the community, as well, was
43 continually changes; that the City of Roseville didn't look like it did in the past, and
44 wouldn't look like it did now in another twenty (20) years. Member Gottfried thanked
45 members of the public for bringing their feedback, comments, and concerns forward,
46 as well as for their attendance.
47

48 **MOTION**

49 **Member Doherty moved, seconded by Member Cook to RECOMMEND TO THE**
50 **CITY COUNCIL APPROVAL of a CONCURRENT AMENDMENT TO THE**
51 **COMPREHENSIVE PLAN – LAND USE MAP and OFFICIAL ROSEVILLE ZONING**
52 **MAP (REZONING) for the seventy (70) subject properties, as detailed in the staff**
53 **report dated August 4, 2010 (Project File 0004 and Project File 0017); as**
54 **reviewed and discussed.**
55

56 **Ayes: 5**

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2
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6

Nays: 0
Motion carried.

Mr. Paschke noted that these parcels were scheduled to be heard by the City Council at their August 23, 2010 meeting

EXTRACT OF MINUTES OF MEETING OF THE CITY COUNCIL OF THE CITY OF ROSEVILLE

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota, was held on the 23rd day of August 2010 at 6:00 p.m.

The following Members were present:
and ____ was absent.

Council Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. ____ A RESOLUTION AMENDING ROSEVILLE'S 2030 COMPREHENSIVE PLAN – LAND USE MAP TO CORRECT 70 PARCELS

WHEREAS, the Planning Division as a component of updating the Official Zoning Map located 70 lots and/or parcels that included an incorrect and/or inappropriate land use designations; and

WHEREAS, the Planning Division after review determined the appropriate land use designations for all 70 lots/parcels; and

WHEREAS, the Planning Commission on August 4, 2010 held the public hearing regarding the request Comprehensive Plan – Land Use Map corrections and voted (5-0) to recommend approval as amended by staff during the presentation (two parcels near Tamarack Park).

NOW THEREFORE BE IT RESOLVED, by the Roseville City Council, to adopt
COMPREHENSIVE PLAN – LAND USE MAP amendments for the following properties in Roseville:

PIN	Existing Future Land Use	New Future Land Use	Notes
132923140002	MR - Medium Density Residential	CB - Community Business/ LR - Low Density Residential	Portion of property east of Albemarle Street right-of-way: CB – Community Business Portion of property west of Albemarle Street right-of-way: LR – Low Density Residential
042923220003	LR - Low Density Residential	NB - Neighborhood Business	Only north half of property, ROCHAT'S ADDITION LOT 16 BLK 1
012923110019	LR - Low Density Residential	NB - Neighborhood Business	Only east half of property
172923140082	W - Water Ponding	LR - Low Density Residential	
162923110016	LR - Low Density Residential	MR – Medium Density Residential	
142923140015	LR - Low Density Residential	IN - Institutional	
152923120018	LR - Low Density Residential	NB - Neighborhood Business	

132923130015	LR - Low Density Residential	ROW - Right-of-Way	
102923340035	LR - Low Density Residential	O - Office	
122923110028	POS - Park and Open Space	LR - Low Density Residential	
122923110023	POS - Park and Open Space	LR - Low Density Residential	
102923440070	LR - Low Density Residential	NB - Neighborhood Business	
142923330013	LR - Low Density Residential	NB - Neighborhood Business	
102923440036	LR - Low Density Residential	ROW - Right-of-Way	
122923140001	W - Water Ponding	CB - Community Business	
122923110030	LR - Low Density Residential	ROW - Right-of-Way	
122923110026	POS - Park and Open Space	LR - Low Density Residential	
112923320117	MR - Medium Density Residential	IN - Institutional	
152923140084	LR - Low Density Residential	LR - Low Density Residential	
132923220019	LR - Low Density Residential	NB - Neighborhood Business	
022923410034	POS - Park and Open Space	LR - Low Density Residential	
142923210061	W - Water Ponding	LR - Low Density Residential	
032923130053	POS - Park and Open Space	LR - Low Density Residential	
032923130052	POS - Park and Open Space	LR - Low Density Residential	
142923410084	LR - Low Density Residential	IN - Institutional	
022923430009	POS - Park and Open Space	LR - Low Density Residential	
132923410027	LR - Low Density Residential	ROW - Right-of-Way	
012923430092	POS - Park and Open Space	LR - Low Density Residential	
022923330041	LR - Low Density Residential	NB - Neighborhood Business	
132923420037	LR - Low Density Residential	ROW - Right-of-Way	
012923430093	POS - Park and Open Space	LR - Low Density Residential	
052923320001	HR - High Density Residential	LR - Low Density Residential	
012923310001	LR - Low Density Residential	W - Water Ponding	
PIN	Existing Future Land Use	New Future Land Use	Notes
092923110002	POS - Park and Open Space	ROW - Right-of-Way	
032923320017	O - Office	ROW - Right-of-Way	
052923320002	HR - High Density Residential	LR - Low Density Residential	
112923440008	IN - Institutional	LR - Low Density Residential	
132923420036	LR - Low Density Residential	ROW - Right-of-Way	
112923440009	IN - Institutional	LR - Low Density Residential	
042923220098	W - Water Ponding	LR - Low Density Residential	
042923230005	CMU - Community Mixed Use	POS - Park and Open Space	
042923230009	CMU - Community Mixed Use	W - Water Ponding	
042923220100	W - Water Ponding	LR - Low Density Residential	
042923240048	POS - Park and Open Space	LR - Low Density Residential	

042923340017	CMU - Community Mixed Use	ROW - Right-of-Way	
052923210001	LR - Low Density Residential	O - Office	
082923340018	POS - Park and Open Space	LR - Low Density Residential	
142923210068	W - Water Ponding	LR - Low Density Residential	
082923340039	POS - Park and Open Space	LR - Low Density Residential	
042923220099	W - Water Ponding	LR - Low Density Residential	
042923240002	POS - Park and Open Space	LR - Low Density Residential	
082923340019	POS - Park and Open Space	LR - Low Density Residential	
082923340040	POS - Park and Open Space	LR - Low Density Residential	
122923220007	POS - Park and Open Space	LR - Low Density Residential	
022923110036	LR - Low Density Residential	POS - Park and Open Space	
092923430005	CB - Community Business	ROW - Right-of-Way	
112923320053	MR - Medium Density Residential	IN - Institutional	
082923410012	BP - Business Park	W - Water Ponding	
032923140003	POS - Park and Open Space	LR - Low Density Residential	
112923120031	LR - Low Density Residential	POS - Park and Open Space	
142923240030	POS - Park and Open Space	IN - Institutional	
142923130001	POS - Park and Open Space	IN - Institutional	
082923420015	BP - Business Park	ROW - Right-of-Way	
092923120015	LR - Low Density Residential	W - Water Ponding	
102923220021	MR - Medium Density Residential	ROW - Right-of-Way	
112923230010	LR - Low Density Residential	POS - Park and Open Space	
082923310017	BP - Business Park	IN - Institutional	
032923140002	POS - Park and Open Space	LR - Low Density Residential	
012923120015	POS - Park and Open Space	LR - Low Density Residential	
012923320071	MR - Medium Density Residential	W - Water Ponding	

The motion for the adoption of the foregoing resolution was duly seconded by Council Member _____ and upon vote being taken thereon, the following voted in favor;; and _____voted against.

WHEREUPON said resolution was declared duly passed and adopted.

Resolution – Comprehensive Plan - Land Use Map Amendment

[illegible]

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 23rd day of August 2010 with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 23rd day of August 2010.

William J. Malinen, City Manager

(SEAL)